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PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

48° & 49° VICTORIÆ, 1884-5.

VOL. CCCI.

COMPRISING THE

THIRTEENTH AND FOURTEENTH DAYS

OF AUGUST, 1885.

NINTH AND LAST VOLUME OF SESSION 1884-5.

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THIRD SERIES:

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54 VICTORIÆ, 1890-91.

VOL. CCCLIII.

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THE FOURTH DAY OF MAY, 1891,

TO

THE EIGHTH DAY OF JUNE, 1891.

Fifth Volume of the Session.

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ERRATUM.

May 26, page 1163, lines 37 and 38, should read "(11.30.) The House divided:—Ayes 52; Noes 78.—(Div. List, No. 252.)"

HANSARD'S PARLIAMENTARY DEBATES,

IN THE

Sixth Session OF THE *Twenty-Fourth Parliament* OF THE UNITED KINGDOM OF *Great Britain* AND *Ireland* APPOINTED TO MEET 5 AUGUST, 1886, IN THE FIFTIETH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

FIFTH VOLUME OF SESSION 1890-91.

HOUSE OF LORDS,

Monday, 4th May, 1891.

THE VICTORIA EMBANKMENT.

QUESTION—OBSERVATIONS.

THE EARL OF MEATH: London, my Lords, cannot, I fear, take high rank amongst the beautiful cities of the earth, but she possesses in the Victoria Embankment a boulevard which she owes to the foresight and public spirit of the London Metropolitan Board of Works, and of which any Londoner may be proud. It unites in a remarkable degree the life of the great city and the spirit which is attached to the shipping moving up and down in the river, and that which is attached to ancient buildings and fine palaces—a combination which I think cannot be shown in any other capital of the world. We have there a wide thoroughfare replete with life: we have fine trees, green grass, bright parterres of flowers, fountains, monuments to the illustrious dead. We have ancient buildings and we have interest on all sides. Now, unfortunately, some portion of the public gardens which abut upon this thoroughfare are not open to the public. There are about eight or nine or ten houses which possess the right of enjoying some of these gardens. I understand that these gardens to which I allude are in the possession of the Crown. The noble Lord who answers me has better means of obtaining information than I have, and he will correct me if I am wrong; but I understand that these gardens form part of the Crown lands, and are vested in the Commissioners of Woods and Forests under the Thames Embankment Act of 1862. I am told that the gardens have been leased by the Crown to the lessees of the adjoining houses, and that the leases expire as follows: the lease of Montague (otherwise Beaufort) House in 1904, the lease of No. 1 Whitehall Gardens in 1954, those of Nos. 4, 5, and 6 in 1923, and of Nos. 7 and 8 in 1892. Unfortunately Nos. 7

and 8 abut on the public gardens at present open, and if those are built upon, or if any lease is given to the owners of the houses, Nos. 7 and 8, of those gardens, your Lordships will see it will be impossible later on to continue the public gardens down to what are at present the new Scotland Yard buildings; and the continuity of such gardens would therefore be destroyed. I may as well at once state that I hold no brief for the London County Council in this matter. Indeed, I have been very careful not to consult any of my colleagues upon it, because I do not wish to be bound one way or the other, but simply as a citizen of London I bring this subject to your Lordships' notice in the hope that Her Majesty's Government may do what they can to add to the beauty of this thoroughfare, to make it still more beautiful and more worthy, than it is at present, of the greatest Metropolis in the world. I therefore ask Her Majesty's Government whether the lands at present leased as gardens to private owners, situated between the New Scotland Yard Buildings and the Victoria Embankment Public Gardens, will revert to the Crown in 1892 ; and, if so, whether Her Majesty's Government will undertake not to renew the leases, sell, relet or otherwise dispose of the land, until the citizens of London, through their representatives on the London County Council, have had an opportunity of declining to purchase or rent these lands for the purpose of enlarging the area of the gardens at present open to the public ?

*THE PAYMASTER GENERAL (Lord WINDSOR) : My Lords, I think I may say that Her Majesty's Government will not be likely to minimise the importance of retaining open spaces in London for the public use. There is only a small portion of these gardens at present leased to private owners, situate between the New Scotland Yard Buildings and the Victoria Embankment, which will revert to the Crown in 1892. The noble Earl has correctly stated, I believe, the dates at which the rest of the gardens will revert to the Crown. The gardens which do revert next year, that is in 1892, are those of No. 4, Whitehall Yard, and Nos. 7 and 8, Whitehall Gardens, at present in the occupation of the Board of Trade. A new road is going to be made opposite the Horse Guards from Whitehall to the Embankment, and nearly the whole of the gardens of No. 4, Whitehall Yard will be required for this purpose, and for the exchange of land necessary with the London County Council, respectively authorised by the Horse Guards Avenue Act of 1888. I may explain that this exchange affects only two very small pieces of land, and was made for the purpose of making the new road conveniently straight. No determination has yet been arrived at as to the future appropriation of the gardens of Nos. 7 and 8, Whitehall Gardens, but it clearly could not be made an addition to the present existing gardens on the Embankment, because the new road which will be made between the present public gardens and the gardens of Nos. 7 and 8, Whitehall Gardens, would prevent this. Under the circumstances, it is impossible for the Commissioners of Woods and Forests to give any undertaking which will fetter such future appropriation.

POTATO DISEASE IN FRANCE AND BELGIUM.

QUESTION—OBSERVATIONS.

VISCOUNT SIDMOUTH, in rising to ask Her Majesty's Government whether instructions can be issued to the Consular Agents in France and Belgium to transmit to the Foreign Office Reports (if any) made to the Governments of those countries, or such other information as may be procurable, respecting experiments recently made with the object of curing the disease in potatoes, said: I understand that Reports have been presented, and I believe that some answer has been given on the subject by the Minister of Agriculture in the House of Commons, which I have not yet seen ; but if the noble Marquess will give those instructions, no doubt it would be more satisfactory to have them from official sources in the full Reports which have been presented from the various ports in France and Belgium.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY) : I will see what information is to be procured on the subject, and I shall have great pleasure in giving orders that it shall be procured through Her Majesty's Consuls as the noble Lord desires.

NEWFOUNDLAND FISHERIES BILL

[H.L.]—(No. 76.)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee."

*THE EARL OF KIMBERLEY: My Lords, I have given notice of a Resolution asking the House not to proceed with this Bill until a reasonable time has been given to the Legislature of the colony to pass the necessary legislation; and, in the first place, I wish entirely to disclaim the slightest desire to embarrass the Government in the conduct of this difficult question. I am quite certain that I speak for those who act with me when I say that we all recognise the absolute necessity of legislation either by the Imperial Parliament or by the Colonial Legislature to enable this country fully to discharge the obligations which it has towards France both in regard to the old Treaties and Obligations, and in regard to the Convention which has recently been concluded for the purpose of determining the lobster question. My reason for moving this Motion is my strong feeling that it is most important that the undoubted power of this country to override the Legislature of a colony, enjoying legislative power as regards its own affairs, should only be exercised in the very last extremity and as a last resort. This question should not be considered simply with reference to the Colony of Newfoundland. The matter is one, in point of fact, of principle. I hold, as I suppose every one of your Lordships does, that no one can call in question the power and the right of the Imperial Parliament to legislate for all our colonies. We have done so on various occasions, and our colonies have always recognised, and will continue, I hope, to do so as long as their connection with this country remains, that that power must rest in the last resort with the Imperial Parliament. But although that power is absolutely necessary for the welfare of the Empire, it still remains that such a power, which overrides the rights which we have conceded to them for the management of their own affairs, is a power which should never be exercised, if possible, against the wish of the colony itself, and certainly should never be exercised at all if it be possible to attain the object of any power by other means. In the present instance we have a distinct proposal from the delegates acting on behalf of, and with authority from, the Colony of Newfoundland, in which they have distinctly intimated their willingness to pass, in the first place, a Bill which embraces all the points at issue. I will read the words, because I think it is very important there should be no mistake as to what their proposal was. Their proposal was made in these words—

"The Newfoundland Legislature to pass immediately an Act, authorising the execution for this year of the *modus vivendi*, the Award of the Arbitration Commission regarding the lobster question, and the Treaties and Declarations under instructions from Her Majesty in Council."

Your Lordships will observe that that embraces every one of the points. It states distinctly that the Newfoundland Legislature will pass an Act to authorise for this year the execution of the *modus vivendi*. It also proposes to pass an Act which will enable the Award to be carried into effect; and, last, which it is very important to remark, that an Act should be passed, good for one year, enabling the Treaties and Obligations—that is to say, the old Treaties, as I understand it, and the Declarations in connection with those Treaties—to be carried into effect by instructions from Her Majesty in Council. Therefore, the delegates have carefully embraced every one of the points which it is necessary to deal with. Then, as regards the future, they propose, too, that there shall be a consideration of what will be the most convenient permanent arrangements, and when those permanent arrangements are settled with Her Majesty's Government, they express their willingness to pass the necessary Act. Now, it seems to me a fairer offer could not be made. It is distinct, unequivocal; it embraces every one of the points at issue; it embraces all necessary present legislation for present purposes, and whatever future legislation is necessary in order to safeguard the execution of the Treaties. This being so—of course I am not cognisant of what may be the precise com-

munications which Her Majesty's Government may have had since our last discussion of the subject with Newfoundland—I can scarcely conceive that unless the Legislature of Newfoundland is likely—which I am told it is most unlikely to do—to repudiate the action of their delegates, that anything can have occurred, or is likely to occur, which will necessitate so much haste in the matter as that we should necessarily go forward with the Bill before us to-day. And, my Lords, it is quite obvious that the feelings of the Newfoundlanders would be best consulted by our not proceeding to-night in this matter, and, as I said the other night—and I do not want to elaborate all that matter over again—it is really of vital importance that the whole matter should be so conducted as, if possible, to allay irritation in the colony, and to ensure the hearty co-operation of the colonists in future in carrying into effect these very difficult Treaties. Therefore, on that ground alone, from mere considerations of policy, it seems to me, unless there is some paramount reason, some insuperable objection to postponing the further proceeding with this Bill, a very strong case is made out for not going further with it now, and I cannot imagine that there can be any very serious risk run, or any risk run, of any complication arising from a postponement because your Lordships have already read the Bill a second time, and if unfortunately (which I do not anticipate) it should be found that the Newfoundland Legislature is not prepared either to pass the necessary legislation satisfactory to Her Majesty's Government, or to pass it in sufficient time for the fishing season, then the Government will have, it seems to me, ample power and ample opportunity of proceeding with this Bill and carrying it through Parliament; and although it is possible, when it gets to the other House, knowing that they are not very speedy in their proceedings, there may be some delay, yet in the case of this Bill, I cannot conceive there can be any fear that there could be any serious delay there, Her Majesty's Government are able, at all events, to ensure that the legislation which they desire shall be passed rapidly through this House. If the necessary legislation is not passed in sufficient time or in a proper manner by the Newfoundland Legislature, then I am quite certain that, independently of the power which Her Majesty's Government possess in this House to pass any Bill, there would be entire concurrence on the part of the House in passing the legislation necessary. The questions which would arise in Committee cannot be serious or long, more especially because an Amendment is already on the Paper proposed by the noble Lord opposite, the Secretary of State for the Colonies, which certainly meets entirely some objections which I expressed to the details of the Bill on the former occasion. Well, my Lords, if there is any haste necessary, who can doubt that the Bill would in a single evening go through Committee, and if necessary pass the Third Reading, so that the risk of any delay is exceedingly small? I do not now propose, after having addressed your Lordships at considerable length the other night, to trouble you with any long observations on the present occasion. The matter lies really in a nutshell. The question is, are we prepared to exercise the power possessed by Parliament, a most seldom exercised power, a power which has scarcely been exercised against a colony since it was last necessary to deal with Canada? Are we prepared to exercise this great and supreme power possessed by Parliament in this instance, when, if I am not entirely wrong, the Bill may be delayed, without any detriment to the matter in hand, that may be done, and there is a fair chance that it will not be necessary eventually to proceed with the Bill at all? Another point which has been alluded to is the effect of this elsewhere. It is possible that the Debates which have taken place in this House will attract considerable attention elsewhere, and I should be extremely sorry if there should be any misunderstanding on the part of the French Government that any action taken by us in this House implies the slightest desire to throw any impediment whatever in the way of duly carrying into effect the Treaty which has been entered into by this country with France. The point is not at all a question between us and France; it is a domestic matter which we have to settle with our colonies, and we on this side, I am certain, admitting in the fullest degree our

obligations to France, have not the slightest intention of throwing obstacles in the way of this Convention being rigidly and fully carried into effect. My Lords, I have no more to say, but to earnestly ask the House to agree to the Resolution which I have placed on the Paper not to proceed further with the Bill to-night.

Amendment moved,

To leave out from ("that") to the end of the Motion, and insert the following Resolution, namely, ("in view of the assurance given by the Newfoundland Delegates that provision will be made by immediate legislation in the Colony for the due enforcement of the treaty obligations of this country, and of the *modus vivendi* agreed upon with the French Government, it is not expedient that this House should go into Committee on the Bill until a reasonable time has been given for such Colonial legislation.")—(*The Earl of Kimberley.*)

*THE SECRETARY OF STATE FOR THE COLONIES (Lord KNUTSFORD): Since this question was put down on the Paper Her Majesty's Government have given it full consideration, but I regret to say that we are not able to accede to the Motion. I agree entirely with much that has been said by the noble Earl as to the desirability, I might almost say necessity, of interfering as rarely as possible with the Legislature of a colony by Imperial legislation; but when he says we are interfering with a Colonial Legislature upon this occasion in the management of their own affairs, I cannot agree with him. As I have said before more than once, this Bill is of an Imperial character. It involves the performance of Treaties, the performance of which is an obligation upon us, along the coast of Newfoundland, and it is therefore not a question purely of local management of local affairs. The noble Earl says it is very desirable not to proceed with this Bill, because if we do we shall increase the feeling of irritation which now exists in the colony. I admit that the introduction of the Bill was distasteful to the colonists, and I know that the Bill was much resented. I do not dispute that, but, at the same time, I must again point out that no one in the colony, who had studied the subject, who was well informed of what had really taken place, and who recognised the obligations of a country to perform the Treaties into which it has entered, could really have been surprised, or could have expected any other course to be taken than the one which Her Majesty's Government have felt themselves compelled to take. I cannot help thinking that much of the irritation felt in the colony has proceeded from those who have not been well informed of the position of affairs; and after the full explanation that has been given of the position of Her Majesty's Government at the time this Bill was introduced, we may reasonably expect that that feeling of irritation will be considerably lessened. I would again ask your Lordships to remember the position of affairs when this Bill was introduced. At that time the Colonial Government had expressly refused to legislate for securing the observance of the *modus vivendi* for 1891, and had expressly declined to be bound by the arbitration to which we had agreed. That refusal was tantamount to a refusal to legislate to secure the execution of the decision of the arbitrators. They were also aware of the doubts which had been raised as regards the powers of naval officers, and that those doubts extended to the power of naval officers to enforce the observance of Treaties, and yet until the delegates arrived in this country there had been no offer made to us of legislation to secure the observance and performance of those Treaties. But, my Lords, if, on the one hand, the feeling of irritation will not be softened by these considerations, I think, on the other hand, there is very little fear of its being increased by our passing this Bill through this House, when it is understood that we have agreed that it shall not have a Second Reading in the House of Commons until after Whitsuntide, and that then, if the Colonial Legislature have performed their duty and have passed an Act satisfactory to Her Majesty's Government, we shall drop this Bill, and proceed with it no further. Now I will, with your Lordships' leave, state the two reasons for the decision at which Her Majesty's Government have arrived. The first is this: We had to ascertain about what time we might expect the fishing season to begin. It varies according to the state of the ice every year; but taking an average of the last few years, and looking to the Naval Reports as well as to the Colonial Official Reports,

we found that cod-fishing might be expected to begin about the middle of May, and that the lobster factories might be expected to get to work about the end of May or early in June. That calculation, based upon an average of years, will show, I think, that we were justified in stating that the fishing season was close upon us; but since that time we have received a telegram from the Governor, dated the 1st of May, stating that he had just heard that, owing to the absence of ice, lobster-catching and cod-fishing had been already commenced in St. George's Bay. Now, my Lords, what is the position of affairs? The necessity has arisen, as the fishing season has begun, for us to see, on the one hand, that the French do not go beyond the rights given them by Treaty, and, on the other hand, to secure that they shall have the full enjoyment of the rights secured to them by Treaty. Questions of difficulty will arise, as they have arisen in the last few years, between the two countries as to the construction of the Treaties. Those questions have hitherto been settled by the tact, judgment, and friendly action of both French and British naval officers; but can we expect that these difficult questions will be settled in an amicable spirit when our naval officers have no power to act? And that is their position at present. It will, in these circumstances be admitted that Her Majesty's Government must be placed in a position to pass this Bill rapidly through all the stages should any unfortunate hitch in the Colonial Legislature take place. The second reason for adhering to the proposals we made on the Second Reading is this. I will remind your Lordships that with the desire of meeting the Colonial Government half-way, we had practically and substantially agreed to the first proposal brought to your Lordships' notice by Sir W. Whiteway at the Bar of this House. We agreed to postpone the Second Reading of the Bill in the House of Commons until after Whitsuntide, and then to drop it if the Colonial Legislature had in the meantime passed a proper measure. We had also agreed that we would at once consider how far the initiative as to proceedings on land, and how far the adjudication of claims, should be secured

Lord Knutsford

to the Colonial Courts; but while we expressed our readiness to consider these questions, we distinctly stated that it would be impossible that the first Bill, the Bill mentioned in the first proposal of the colonial delegates should be postponed until the terms of the second Bill had been settled. We expected after what passed on the Second Reading, and I think we had a right to expect, that the draft of a Bill which would be very simple in its terms would be at once prepared and submitted to us for approval, and passed by the legislature of Newfoundland. But my Lords, I will ask you to consider how we have been met. Instead of a Bill being presented to us for our approval and consideration, we received a letter from the delegates, dated May 1, the substance of which I think it is only fair to the delegates that I should read. It is of a very important character inasmuch as it modifies the proposals which were made, and presents conditions to us in a new form. The letter from the Newfoundland delegates says—

"My Lord, in acknowledging the receipt of your communication of the 29th inst—"

that communication, I may observe, was one in which I asked them what steps, if any, they had taken towards preparing the Bill, and when I might expect it—

"We beg to say that, having very carefully considered the speeches made in the House of Lords on Monday, the 27th inst., we desire to lay before Her Majesty's Government the following propositions:—

'If the Bill now before the Lords be not further proceeded with, and if Her Majesty's Government admit the principle of a measure for the creation of Courts to adjudicate upon complaints arising in the course of the enforcement of the Treaties and declarations relative to French Treaty rights, and engage to discuss and arrange with us as rapidly as possible the terms of a Bill embodying that principle, we will, with all possible speed, procure the enactment by the Colonial Legislature of a measure giving power to Her Majesty in Council during the current year to enforce in the same manner as heretofore Her Rules and Regulations for the observance of the *modus vivendi*, the award of the arbitration, and the Treaties and declarations with France, which temporary Act the Colonial Legislature will replace by a permanent measure for securing the enforcement of the Treaties under the Orders of the special Courts referred to above, provided that if, as the result of the enforcement of the award of the arbitration, the property of Her Majesty's subjects is disturbed they shall be entitled to compensation.

'If a temporary Act by the Colonial Legislature is to supersede the Bill now before Par-

liament Her Majesty's Government will perceive how wise it will be to prevent greater irritation in the colony by refraining from proceeding further with the Bill now before the House of Lords, and will not hesitate, we hope, to accede to our requests in this respect. The burdens under which the colonists suffer are great, the causes of irritation many, and they feel that, as the claims of the French are being unduly pressed for the purpose, apparently, of affecting the policy of Great Britain in other parts of the world, they may be said to be suffering for the benefit of the Empire at large. A proper recognition of their unfortunate position would induce Her Majesty's Government, we think, to be extremely considerate, and not to press forward the pending Bill in a manner which may be regarded by our fellow-colonists as indicating a want of confidence in us and them.

'The temporary Act suggested should be extremely simple in its provisions, and delay in framing it would neither be desirable nor necessary. If our propositions can be accepted the terms of such an Act may be telegraphed to the Legislature and enacted in a few days, thus relieving Her Majesty's Government of all anxiety as to the enforcement of the Treaties and engagements during the present year?'"

They then proceed to state their views in favour of the jurisdiction of the Colonial Courts in cases of complaint; but it is not necessary to read that argument now. That is a question which will have to be considered, and Her Majesty's Government have agreed to consider it. Then the letter goes on—

"In reference to the present Arbitration Commission, we have to make the following proposal:—

'If it be possible to abandon arbitration upon the lobster question, we strongly urge that it be done, for we fear grave complications as its result. But if it be not possible now to withhold that question, we ask an assurance—

'(1) That no further questions shall be submitted to the Arbitration Commission without prior consultation with the Government of the colony,

'(2) That the opinion of the Colonial Government will not be disregarded in the absence of some paramount consideration involving the welfare of the Empire; and

'(3) That compensation will be given to those persons, if any, whose property may be disturbed by the award of the arbitration.'"

And they then proceed to state the grounds for supporting those proposals. My Lords, I think that the reading of that letter shows you that there is a very considerable difference between the present proposals and conditions of the delegates and the first proposals which they made, and which we accepted, at the Bar of the House. This letter has been carefully considered, and I think your Lordships will now allow me to read certain portions of the reply which has been sent to that letter, and which was delivered this morning to the delegates. After acknowledging the receipt of that letter, the reply goes on—

"Her Majesty's Government regret to observe that the proposals now presented differ in form from those made on your behalf at the Bar of the House of Lords.

"You are aware from the statement made by Lord Knutsford in moving the Second Reading of the Imperial Bill on the 27th ult. that Her Majesty's Government agreed not to move the Second Reading of the Bill in the House of Commons until after Whitsuntide, and then not to proceed with it any further if in the meantime an Act had been passed by the Colonial Legislature authorising the execution of the *modus vivendi*, the award of the Arbitration Commission regarding the lobster question, and the Treaties and Declarations under instructions from Her Majesty in Council.

"Her Majesty's Government were under the impression that you clearly understood that the Colonial Act, while providing for the execution of the *modus vivendi* for 1891, was also to secure permanently both the execution of the award of the Arbitration Commission on the lobster question and the fulfilment of the Treaties and Declarations. Her Majesty's Government at the same time recognised the objections raised by you against continuing powers to the naval officers to act on land, and expressed their readiness to consider at once, but as a separate matter, 'the terms of an Act to empower Courts and provide for regulations to enforce the Treaties and Declarations,' upon the understanding that the passing of the Colonial Act referred to in the first part of the proposal would not be delayed, but that if, as they anticipated, the terms of such a measure could be agreed upon, another Colonial Act would be brought in to amend the former Act.

"It appears, however, from your letter under reply that it is now made a condition precedent to Colonial Legislation that the Imperial Bill should not be further proceeded with; and it is also stated that the Colonial Act is to be altogether temporary.

"Her Majesty's Government regret that they cannot assent to this altered proposal."

The reply then states the substance of the Governor's telegram, which I have read to the House, showing that the fishing season has already begun, and then proceeds—

"In these circumstances, and bearing in mind their obligations to the French Government and the decision of the Supreme Court of the colony against the powers of the naval officers to secure observance of the Treaties or of the *modus vivendi* for 1891, Her Majesty's Government are confirmed by your present letter in the opinion that the Imperial Bill must be so far advanced that in case of any unfortunate failure on the part of the Colonial

Legislature to pass the necessary legislation, it may be rapidly proceeded with through the remaining stages and become law.

"As regards the further proposals made in your letter, Her Majesty's Government desire me to state that the arbitration upon the sole question now to be submitted to the Commission cannot be abandoned, but they are willing to give an assurance that no further questions shall be submitted to the arbitrators without full consultation with the Colonial Government, and that the opinion of the Colonial Government will not be disregarded in the absence of pressing considerations affecting the interests of the Empire.

"They will also carefully consider the question whether compensation should properly be given to those persons whose property may be disturbed by the award of the arbitrators, although they see no ground for admitting any liability on the part of the Imperial Government to pay such compensation.

"Her Majesty's Government still entertain a hope that the Colonial Government will assent to the proposal that the colony should be represented by a delegate at the approaching arbitration, and they heartily join in the hope expressed by you that the relations between France and Newfoundland may speedily be placed upon a more satisfactory basis. They cannot, however, pass without notice the sentence in which it is said that 'the claims of the French are being unduly pressed for the purpose, apparently, of affecting the policy of Great Britain in other parts of the world.' There is no foundation whatever for the suggestions contained in these words."

My Lords, I think that the portions of the letter I have read from the Newfoundland delegates show a very considerable difference between their present position and the propositions which were made previously, and which we accepted on the part of the House. I cannot but consider that this step taken by the delegates is an unfortunate one, and one which may tend materially to delay the colonial legislation, and thus to defeat the object which we all have at heart, that is that the colonists should take the matter into their own hands, and that Her Majesty's Government should be enabled to withdraw the Bill now before the House. Our two reasons, then, and I trust sufficient reasons, for proceeding with the Bill are (1) that the fishing season has begun at St. George's Bay, and will soon begin at other places along the coast; and (2) that we cannot but fear that delay may take place in legislating in the colony. The noble Earl, when urging the importance of postponing the further proceeding with this Bill, has referred to the Amendments which I have put down on the Paper; with a view of meeting objections raised to the form and scope of the Bill. The main objection to the Bill as it was originally framed, was that it included within its scope "permanent arrangements," and the power to enforce them. It was argued as a principal objection to our taking powers to enforce permanent arrangements that they might involve perhaps a cession of rights, and thus be contrary to Mr. Labouchere's assurances given in 1857. I have already pointed out that no additional powers beyond those now possessed are given by the Bill to the Imperial Government; that any Government, if it thought right to do so, if it thought it was required by Imperial necessities to do so, might enter into a permanent arrangement which would be binding on the colony, and even without their consent; though I added, and still am of opinion, that that course is not likely to be taken except under pressure of grave and weighty reasons of Imperial necessity. It was further argued that the Bill as it stood provided for such permanent arrangements being made and carried into force without giving an opportunity to Parliament of expressing their opinion upon them, and that if powers are given to enforce such an arrangement the Government of the day would be in a position to act without the submission of the arrangement to the Imperial Parliament. This objection might have been met by an Amendment, but after full consideration Her Majesty's Government have decided to omit all reference to "permanent arrangements," and to limit the Bill to "temporary arrangements," pending negotiations. The Bill as it stands provides for the carrying out of the *modus vivendi*; the decision of the arbitrators on the question now submitted to them; and the obligations we are under to France. I believe that these concessions, which were frankly offered by Her Majesty's Government, will commend themselves to this House, to Parliament, and to the country. I feel sure that they will show that Her Majesty's Government have approached this question, and have desired to act, in a friendly and sympathetic spirit, and that they have made every endeavour to secure, if

possible, the loyal co-operation of the colony.

*Lord NORTON: My Lords, I do not suppose your Lordships will care to have a prolonged Debate upon this occasion, and I only wish to call your attention to the very small magnitude of the point which is before us. We are all agreed that legislation is necessary and is urgent, and from what we have heard to-night I think we must agree it is a great deal more urgent than we thought it was when we discussed the subject last. We are all agreed that there should be some provisional legislation on the part of the Imperial Legislature to be ready in case the Colonial Legislature fails from any accident; and the only question before us raised by the noble Earl opposite at this moment is whether this provisional legislation which has been begun in this House should be suspended at the present moment or at a later time before it goes to the other House. We have at this moment simply to choose the point of suspension of the Imperial provisional legislation. It is asked whether the Imperial Parliament should pass an Act which the Colonial Parliament, being the party primarily concerned, is able and willing to pass; but that is not the question. We do not in any way propose to supersede the colonial action. All that we have in hand is provisional legislation which will be absolutely necessary within a few weeks from this time, in case the colonial legislation, either from any accident or from any obstruction, has failed to legislate. It is impossible to say that that may not be the case, but if colonial legislation, by any accident, be not passed, and the Imperial legislation were not ready, bloodshed and colonial disruption must necessarily issue. It is, therefore, a trifling matter that we are discussing, the simple question being the point at which the Imperial legislation should be suspended, merely to gratify colonial susceptibilities. But it would be no trifling matter if we should run the risk in a few weeks time, of calamitous conflict and colonial disruption. It is proposed, in postponing this Bill, that we should consider colonial susceptibilities at the expense of vital colonial interests which are acknowledged on all sides. But the noble Earl who has moved this Amendment gives as his reason for proposing this little postponement of the Imperial Act, that Imperial Acts should not override a self-governing colony. There is nobody who takes that principle more to heart than I do, for I may say that I spent the first years of my life in Parliament in maintaining that the self-government of colonies was the wisest principle to adopt both in the interests of the colonies themselves and of the Empire. But what is this over-riding by the Imperial Parliament of colonial legislation. The Treaty power is in the Crown, only supported by Parliament, either the Local or Central Legislature, as the case may require. If we were quite sure of the Colonial Legislature doing what it has been urged to do, to support the Crown in dealing with this Treaty, so far from wishing to override them, we are simply asking them so to act, and all we are doing is to take care, in case anything should prevent their so acting, that there shall be power to carry out the objects they have in view. The Colony of Newfoundland has pleaded a simple fallacy in their case for their opposition to the progress of the Bill. It is said that the Imperial action has interfered with their self-governing colonial rights. They entirely mistake what their rights have ever been. It is only about 30 years since that Newfoundland became a colony instead of simply a fishing station, and Newfoundlanders were given self-government. But they were given that self-government distinctly subject to our obligations by Treaty towards a foreign Power. And now that we all agree that those obligations are obnoxious and ought to be removed in the interests of the colony, we are ready to do it, we are eager to do it, and we have called upon them to take their part in supporting the Crown by local legislation. It is only upon their having refused to take their part that this Bill was introduced. I can hardly conceive anything more entirely contrary to the allegation made the other day that we were retracting what was called Mr. Labouchere's engagement, that the rights of the colony should not be diminished without their consent. We have tried in every possible way to get them to do it, and it is

only at the last moment, when the danger is extreme and urgent, that we have interfered to assist them in carrying out their object in the way we now propose. The delegates propose to pass a Bill by which that shall be done, and that this Bill shall be withdrawn; the noble Earl proposes that this Bill shall be suspended at the present point; while the Government propose that it shall be suspended at a somewhat later period. Those are the three propositions. As to the colonial proposition, which is supported by the noble Lord behind me (the Earl of Dunraven), I can hardly conceive for what object the Bill should be withdrawn, and not brought to a Second Reading here, ready for use if wanted. Surely if the object was to be ready in case of the colonial legislation failing, there not being a moment to lose, it would be an advantage to have this Bill advanced as forward as might be required. If it is not advanced, the matter being one of emergency, what could be done? I think the noble Lord (the Earl of Dunraven) actually suggested that if it was run to the last moment the Bill could be passed through both Houses of Parliament in 24 hours by suspending the Orders. That is certainly a somewhat wild proposal, and I can scarcely conceive it in the interest of anybody. In the interest of whom can it be?—of the colony, or of England, or of both? The best thing to do is to get this Provisional Bill placed in a position to be brought into action, if ever necessary, at the critical moment. I maintain, under these circumstances, there really has been no reason whatever adduced for the proposal to withdraw this Bill, and I merely rose to ask your Lordships to consider how very small is the magnitude of the point with which we are now dealing, it being simply whether to suspend the Bill at this point or a little later.

LORD CARRINGTON: My Lords, I was perfectly horrified at hearing the noble Lord (Lord Norton) get up in your Lordships' House and say that the feelings of the colonists were not to be considered in this matter——

*LORD NORTON: I beg the noble Lord's pardon. I did not say that.

LORD CARRINGTON: I so understood the noble Lord.

Lord Norton

*LORD NORTON: I beg leave to state that I said the point of suspension of the Bill was only a matter of susceptibility.

LORD CARRINGTON: Then would the noble Lord repeat what he did say? I certainly understood the noble Lord, with great respect, to say that the susceptibilities of the colonists were not to be considered.

THE MARQUESS OF SALISBURY: That they were to be considered as of less importance than their interests.

LORD CARRINGTON: On the contrary, my Lords, I consider that it is only by consulting the susceptibilities of our colonies that this great Empire of ours can be held together. I do not presume to detain your Lordships for many moments; but I should like to call attention to one great danger, which it seems to me is contained in this Bill; that is, the power which is given to the naval officers in what I may call the naval officers' clause. The popularity of the Royal Navy all over the colonies is worth going out there to see. In Australia the officers are treated as if they were Princes. They are given free passes all over the colonies, and everything possible is done for them. For the men the same thing is done. A large sum of money was subscribed by the New South Wales Government for the Naval Home. Then £5,000 was put down in the Estimates, and a plot of land worth £10,000 was given by the Government, and £13,000 was subscribed by the inhabitants of the City of Sydney to establish a Naval Home for the sailors. Now, the Royal Navy is the representative of the fighting power and strength of England; and if you give the power to naval officers to coerce British subjects, the popularity of the Royal Navy will be shaken to its foundation. The feelings of the Newfoundlanders as regards the Royal Navy are very well shown by the fact that the Newfoundland Chamber of Commerce—and I should think it is the first time such a thing has occurred in British history—refused to give an address of welcome to the British Admiral at St. John's last year; and at a ball given on the naval station a great many of the Newfoundland ladies and gentlemen abstained from being present. Now, if this power is given to the Royal Navy, as I

said before, the popularity of the Naval Service will be shaken to the foundation, and it will go like wildfire all over the British dominions. Therefore, with great respect, I feel bound to get up in my place in the House of Lords and express my regret that Her Majesty's Government feel themselves unable to shelve, if not altogether to knock on the head, this most hateful Bill.

THE EARL OF DUNRAVEN: My Lords, I merely rise to say that I have heard with very great regret that Her Majesty's Government are unable to agree to the Resolution of the noble Earl opposite, because I fail to understand what real practical objection there can be to the slight delay that might possibly be caused by not proceeding further with this Bill in your Lordships' House at present. The noble Lord the Secretary of State for the Colonies has told us that the fishing season has already commenced, and he is also of opinion it seems that it is, at any rate, doubtful whether the Newfoundland Legislature will carry out the proposals that were made by the delegates at the Bar of your Lordships' House the other day.

*LORD KNUTSFORD: I beg leave to say that I did not express any doubt upon that point. I only said I thought the proceedings now taken might tend to delay.

THE EARL OF DUNRAVEN: I understood the noble Lord to say there was some difference between the proposals now formulated by the Newfoundland delegates and those formulated the other day.

*LORD KNUTSFORD: Certainly.

THE EARL OF DUNRAVEN: Then if, on account of the approach of the fishing season and because there was some difference between the present and the previous proposals, if for those two reasons Her Majesty's Government thought it necessary to press this Bill through all its stages in this House and through all its stages in the other House as quickly as possible in order that it might prevent collision and danger——

*LORD KNUTSFORD: I am really very sorry to interrupt the noble Earl, but I did not say it would be necessary to pass this Bill in this House and in the House of Commons through all its stages as quickly as possible.

THE EARL OF DUNRAVEN: I think the noble Lord has misunderstood me. What I said was that if the noble Lord states that, for those two reasons, because of the approach of the fishing season and because the proposition of the Newfoundland delegates has been altered, therefore Her Majesty's Government consider it necessary to pass the Bill into law as speedily as possible, I should not have a single word to say. My position is this: I cannot see that by not pressing the Bill any further at present in this House any practical inconvenience can possibly arise. The Second Reading of the Bill is not to be taken in the other House of Parliament until after Whitsuntide. If the Committee stage of the Bill was postponed in your Lordships' House until after Whitsuntide that would delay the Second Reading in the House of Commons at the utmost only two days. If the Committee stage was left over until just before your Lordships rise for Whitsuntide, it could not make a delay of one single moment in taking the Second Reading in the House of Commons. It is impossible to deny that the passing of this Bill through your Lordships' House will—whether rightly or wrongly I will not discuss—have an irritating effect upon the feelings of the people in Newfoundland. I do not think it is possible to over-estimate the importance of as far as possible consulting the feelings of the colonists in the matter. I am not going to repeat again anything that was said on the Second Reading as to the very peculiar nature of the circumstances in this case. I am sure your Lordships will agree that it is advisable to consult the feelings of the people in the colony as far as possible. If I could understand that by postponing the Committee stage of this Bill in your Lordships' House until, at any rate, just before your Lordships rise for Whitsuntide that would delay the matter, and that very possibly danger would arise in the event of the Newfoundlanders not legislating, I should have nothing to say about it; but as I cannot understand that, and I venture to think it has not been pointed out, I shall, if the noble Earl opposite goes to a Division, certainly vote with him.

LORD HERSCHELL: My Lords, I think your Lordships will generally, whatever view you may take of this

matter, differ entirely from the view expressed by the noble Lord opposite, who, whatever may have been the exact terms he used, obviously intended to convey the idea, and did convey to me the idea, that it is a matter of minor importance that the susceptibilities of the colonists should be considered. Now, that seems to me to be a matter of primary importance. We never have contended that under all circumstances you must yield to considerations founded on the susceptibilities of the colonists. But that you should, founded upon the views which they take, endeavour as far as you possibly can to show them consideration, appears to me to be a course prescribed by the most elementary dictates of common sense and prudence if you wish to maintain and preserve your Colonial Empire and to avoid difficulties with your colonies. This is not a question which can be regarded as only affecting this country and Newfoundland, for we may be perfectly sure of this, that the other colonies which belong to and form part of this great Empire will watch with anxious eye, and keenly scan the observations made in your Lordships' House, and the action taken by this House; and the action taken with regard to this measure may have an influence, far-reaching and extending widely beyond the limits of Newfoundland. Now, I would call to your Lordships' attention what the proposal of my noble Friend (the Earl of Kimberley) is, and the objections which have been made to it by the Government; and I would implore them even yet to re-consider their determination, because it does not appear to me that the reasons they have put before your Lordships are conclusive even from their own point of view. The noble Lord the Secretary of State for the Colonies put forward two reasons; the one that the fishing season was beginning earlier that he had anticipated; the other arising out of the proposals of the delegates. Those are matters which are quite distinct, and I therefore propose to deal with them separately. As the noble Lord opposite has pointed out, if the first reason comes to anything, if it be in any sense valid it should, of course, be a reason for at once proceeding with this Bill here and in the other House. If delay is a matter which will cause such paramount mischief, why wait until after Whitsuntide, as I understand the Government still propose to do, before proceeding with this matter in the other House? But if they can afford to wait until after Whitsuntide, and that they tell your Lordships' House they are able to do, the question you have to consider is whether there would be substantially any greater delay if the proposal of the noble Lord behind me were carried into effect. Now, just consider for a moment how the matter stands. The Bill is not to be proceeded with in the House of Commons until after Whitsuntide. It has been read a second time here. Two days here will at any time suffice to send this Bill to the other House, and under those circumstances how is it possible to contend that postponing those two days until some later date than the present, would really have any substantial effect upon the date at which the measure will pass through the House of Commons, and so become in a position to be passed into law? While upon that point allow me to urge also that if whilst proceeding upon this measure here you increase, as I fear you will, the feeling of irritation in Newfoundland; if by proceeding now with this measure you render it more difficult to be passed through the Newfoundland Legislature, if a position be taken up here which many think to be an unwise and injudicious and mischievous one, do your Lordships think that will be likely to accelerate the passing of a measure when it goes down to the other House? It has to be considered there, and has to pass through all its other stages there, and if it came before them when they had been satisfied that full opportunity had been given to Newfoundland to legislate, and the colony has declined to legislate when everybody admits that legislation is necessary, it would pass readily enough in the other House; but if when it goes down to the other House it can be shown that the position of the Newfoundland Legislature has been altered owing to the course taken by Her Majesty's Government, do your Lordships suppose that would not be made the subject of comment and vigorous attack upon the policy of Her Majesty's Government with regard to this Bill, all of which would be open upon the various stages of the Bill in the other House. It seems to me, if the

object be to pass this Bill into law after Whitsuntide, the chances of passing it rapidly into law will be infinitely more increased by meeting the susceptibilities of the colony than by forcing the measure through, now, in order to save just a couple of days, for that is all it means. So much with regard to that point. But the noble Lord had another point, which was that the colonists had withdrawn from the position which they at first took up, and from the offer which they made at your Lordships' Bar. I confess I heard that passage read in the noble Lord's answer to the delegates with absolute astonishment. It is not the Newfoundland delegates who have departed from the position, but Her Majesty's Government who have departed, and are distinctly departing, from the position taken up in the Debate on the Second Reading. In the Debate on the Second Reading no suggestion was made by the Government that any permanent measure was to be passed at once in Newfoundland. Let me call your Lordships' attention to what the proposal of the delegates at the Bar was, which, standing by itself, Her Majesty's Government said they were prepared to agree to.

THE MARQUESS OF SALISBURY: We never said anything of the kind.

LORD HERSCHELL: I certainly am distinctly under the impression that the noble Lord the Secretary of State for the Colonies said he did not know whether all those conditions were to be read together, but that the first proposal taken by itself was that to which Her Majesty's Government was to be taken as being willing to assent. I will venture to say no such distinction was ever drawn by the noble Marquess or by the noble Lord as that in the noble Lord's letter. Now what was that proposal? The letter states—

"That Her Majesty's Government agreed not to move the Second Reading of the Bill in the House of Commons until after Whitsuntide, and then not to proceed with it any further if in the meantime an Act had been passed by the Colonial Legislature authorising the execution of the *modus vivendi*, the award of the Arbitration Commission regarding the lobster question, and the Treaties and Declarations under instructions from Her Majesty in Council."

Now, nothing can be more clear, or distinct, or unequivocal, than that. There was no suggestion by the Secretary of State for the Colonies, or by the noble Marquess, that any permanent measure was to be passed. It was on the contrary admitted that the character of any permanent measure must be a matter for negociation. Now what was the language of the Secretary of State for the Colonies? In this letter he says—

"Her Majesty's Government were under the impression that you clearly understood that the Colonial Act, while providing for the execution of the *modus vivendi* for 1891, was also to secure permanently both the execution of the award of the Arbitration Commission on the lobster question and the fulfilment of the Treaties and Declarations."

Now, all I can say is if that was the impression of the noble Lord it was the impression of no other Peer in this House who had attended to the discussion, or listened to what had passed. I listened to every word that was said by the noble Lord and by the noble Marquess, and I understood throughout that the proposal as to this matter of legislation had reference only to a temporary measure.

THE MARQUESS OF SALISBURY: Will the noble Lord, instead of citing from vague recollections, cite from *Hansard* what we did say?

LORD HERSCHELL: It is not easy to cite from *Hansard* at once, and I doubt even whether the number containing the Debate has yet come out. I did not know of this Despatch stating the new position taken up by the Secretary of State for the Colonies until a quarter of an hour ago, so that it has been quite impossible for me to study the pages of *Hansard* within that time; but certainly all the observations made by myself, and by my noble Friend behind me, were made under the impression that what Her Majesty's Government were disposed to assent to were temporary arrangements, temporary legislation for one year. If that was not the case it appears to me that the attitude taken by Her Majesty's Government is utterly unreasonable and would justify the rejection of this Bill, because it appears to me if the colonies are willing to legislate in such a way as to tide over the difficulty, which is all that is necessary, for a year, once they undertake to discuss the terms of a permanent measure and to place that permanent measure on the Statute Book, what is the use of asking them to pass permanent legisla-

tion hurriedly? And, my Lords, I will tell you why I am astonished that this permanent legislation is suggested. I am astonished at it for this reason, and the noble Marquess will not question this: We were disposed to accede to the arguments urged with reference to the desirability of not enforcing the Treaties in the present fashion; and he said that the necessity of enforcing them by Acts would be considered at another time.

THE MARQUESS OF SALISBURY: I said it would be in another Bill.

LORD HERSCHELL: Quite so; but that is a reason, I say, for dealing with it in another Bill, and for making this a merely temporary measure. At all events is not that the view which Her Majesty's Government ought to be willing to accede to? If they get a temporary measure passed covering a sufficient time, say one year after this Session of Parliament, that will afford ample time for the framing of a permanent measure in which this question will be satisfactorily dealt with. There will be no difficulty within that time in framing a measure and passing it into law; and if the Newfoundland Government have not within that time passed that measure into law, then Her Majesty's Government will be perfectly within their rights in introducing here in the Imperial Parliament such permanent measure as will be rendered necessary by the approximate expiry of the temporary Bill. Surely it is not expedient to enter into a controversy with the colony upon such a question as that. Do let us consider, in view of that peaceful settlement, what the divergence is. They have admittedly—because the noble Marquess admitted it—an objection to legislation which would merely enforce in the old fashion the Treaty rights. You cannot expect the Newfoundland Legislature to enact a new system within a few days. That is obviously impossible; the new system would have to be elaborated in a permanent measure. Then why should not you be content with a temporary measure which would cover a year's time, giving ample opportunity in the meantime for the passing of a suitable permanent measure? Is it really wise to enter into a controversy with the Government or people of Newfoundland with regard to such a question as that? What difference does it make? Looking at the matter practically, I am sure your Lordships will find there will be serious objections on the part of many to dealing with the matter in this way. I have myself put down notice of Amendments on this matter guided by the consideration that if this measure be passed it should be temporary only; because it appears to me the method adopted is an utterly wrong one for a permanent measure, although it may be suitable for a merely temporary one. Now, if Her Majesty's Government understand this, and it is put in unequivocal terms, I do not see what objection there can be. As quotations from *Hansard* are appealed to, we shall probably be able to refer to them before the Debate closes, and I should like the noble Lord the Secretary of State for the Colonies to find the passage in which he called attention to the fact that he had no objection to the delegates' proposal of legislation for a year.

*LORD KNUTSFORD: My answer to that is, that, as I understood it, the words "for the year" covered the *modus vivendi* which is for the year, and is, therefore, temporary in character, but that the rest of the legislation was to be permanent.

LORD HERSCHELL: I do not doubt for a moment that the noble Lord thought so at the time.

*LORD KNUTSFORD: I think so now.

LORD HERSCHELL: The noble Lord states that was his understanding of it, although I should have doubted, with the great respect which I have for his legal acumen, that he could have thought so; but, of course, the fact that he has stated he did so understand it is sufficient. However, as I read the words, I cannot understand in the least how that construction was ever put upon them. It certainly never occurred to me until I heard the words read just now that there could be any doubt that the Newfoundland Legislature was to pass immediately an Act authorising the execution for this year of the *modus vivendi*, the award of the Arbitration Commission and of the Treaties.

*LORD KNUTSFORD: Not of the award—the execution of the *modus vivendi*.

LORD HERSCHELL: It is not "authorising the award;" the words "the execution of" must govern the

word "award." Everybody will admit that, or else it is nonsense—it is not grammar. Then if the words "the execution of" govern the word "award," the words "the execution for this year" must equally govern it. That is how I understand it, and I am not surprised to find that the delegates also understood it in the same way. I take no objection at the moment to the expression that Her Majesty's Government "were willing to assent." Now, I want to get away from the past and come to the present condition of things, as to its not being a departure from what was intended. I think, considering the interpretation which many of us put upon it, it cannot be suggested that the delegates are unreasonably departing from what they said. Is it worth while contending with them upon these proposals according to the modification of the noble Lord? If, as I say, a temporary measure is passed for a sufficient length of time—which a year would be—until the end of the then Session of Parliament, is not that enough for the present purpose, especially when we have an undertaking that they will confer as to the permanent measure, and a better method of carrying this out for the future. I would earnestly implore Her Majesty's Government not to enter into a controversy of that description, which I cannot but feel will not aid the ultimate passing of such a measure if it should become necessary, and which is not likely to render it more certain or more probable that the Bill will not have to be proceeded with in the other House. If that is the only point, cannot Her Majesty's Government make this concession to the Newfoundland Legislature and colony—that when they are asked not to pass the measure in so great a hurry, and if it is to pass, that it should only be a temporary measure, that sufficient time should be given for the elaboration of a more satisfactory measure? Whatever may have been the interpretation of Her Majesty's Government previously, now that they see what was the view and the proposal of the delegates, may I ask them to re-consider the determination which they have expressed not to agree to this, because it would be departing from the proposal of the delegates? Is it not a matter which Her Majesty's Government may reasonably accede to, even if the proposal be made for the first time? If not, will not the situation be made more difficult? There is no desire which I have greater than this: that we may have a settlement of these questions which may leave as little bitter feeling as possible, and as little as possible make necessary the interference of Parliament with these matters affecting Newfoundland and affecting the people of Newfoundland. If we can secure legislation by that means, even if it be not all that Her Majesty's Government might desire, if it be effectual for the purpose and will cover a time of difficulty, may we not appeal to the Government in that respect to make a concession which I am quite sure in the end will not put any real impediment in the way of the enforcement of these Treaties? It is likely to put a weapon in the hands of the Government, which sooner or later may be required by the necessities of the case, and the withdrawal of which power is likely, as far as one can see, to create considerable difficulty. The only other reason, as far as one can see, which is now put forward, is that the delegates have made a condition that the Bill be not proceeded with, but be delayed, at any rate, till after Whitsuntide. The noble Lord is not quite accurate with regard to that. The original proposal of the delegates was that the Bill should be withdrawn. That they do not press now; they only urge that it should not be proceeded with further, and the difference between that and the proposal of Her Majesty's Government is the very small delay involved. As the total delay can be for two days only, is it wise for the sake of that to depart from the tone of conciliation and to cease our endeavours to bring to a peaceable settlement this troublesome matter which is the subject of controversy? I am sure that Her Majesty's Government will not be disposed to allow any false pride to stand in the way of making the concession that is asked for, and I would earnestly beg them to re-consider the conclusion at which they have arrived.

THE MARQUESS OF SALISBURY: The proposal of Her Majesty's Government is that the Bill should pass in the ordinary way through this House, and that it should not stand for Second Read-

ing in the House of Commons—as indeed it could not well—until the meeting of that House after Whitsuntide, and that then it should not be proceeded with if the Newfoundland Legislature has by that time passed a measure to make its adoption unnecessary. I say, my Lords, it could not in any case be taken much earlier than the time when the House of Commons comes back after Whitsuntide, because after to-day we have only four more days for sitting; there will be the Committee to-day, the Standing Committee on another day, the Report on another day, and the Third Reading on a fourth day. Thursday is a *dies non.* Therefore, we are only following the ordinary course in sending the Bill forward to the House of Commons. The noble Lords opposite have seemed to put themselves forward as the representatives of the colony in asking for a delay which they say would amount to merely four days in order to soothe the susceptibilities of the colonists. Susceptibilities have played a great part in this Debate. The noble Lord who has recently returned home, after a distinguished career in Australia, has drawn for us a touching picture of the terrible position of British officers if they are not invited to colonial balls in the future. I hope our legislation will be such that their invitations to balls shall go on unchecked; but we have business to do, and must deal with it on business principles. We have very serious interests in charge—we have great international obligations to fulfil — international obligations contracted with a Power which has also its own susceptibilities—obligations which we are bound in honour to perform in a scrupulous spirit and with consideration for the peace and harmony of the world. As matters stand now, since the decisions of the Courts of Newfoundland, the hands of our naval officers are paralysed, and they cannot exercise that jurisdiction which appears to have been irregular, but which they have exercised up to this time. They cannot deal with any infraction of the Treaties that may be committed on the shores of Newfoundland without exposing themselves to an action at law—that is to say, they cannot deal with such infraction at all. The time is rapidly approaching when the performance of this duty will become a matter of great moment. The lobsters are bound to be caught, though of course the lobster fishery is not in full swing yet, but each day that passes adds undoubtedly a certain amount to our risk, because if in the present excited state of feeling on the part of the colonists on the coast on the one side, and of the French on the other, there are acts performed which one side believes to be legal and the other side believes to be a breach of international law, there being no authority to decide between them, and prevent collisions, collisions may happen, not between the highest authorities, but collisions it may be between inferior officers, yet which may have the most deplorable effects. For this reason, finding that we have not the authority that is necessary to enforce international obligations, we come to Parliament to ask them to give us that authority, and we are met by resistance—resistance which carefully says that it does not object to the principle, but, of course, objects to the machinery by which we intend to carry the principle into effect. And what is the ground on which we are asked to delay the Bill for a few days? I think it is fair when we are talking thus of susceptibilities not to impute to the colonists so grotesque a sense of susceptibility as is suggested—that they would be satisfied with a measure passed four days later, but feel wounded in their feelings by a measure passed four days earlier. The colonists have said nothing of the kind. It is their advocates on the other side of the House who have said it because they know that it is the only plea they can put forward, and that the plea which the colonists themselves put forward is not one which they can urge. I have here the letter of May 1 of the Newfoundland delegates, and the words with which it begins (they have been already read) are—

> "We desire to lay before Her Majesty's Government the following proposals, if the Bill now before the Lords is not further proceeded with," &c., &c.

So that it is not a question of four days —it is that the delegates want the Bill to be dropped altogether. The Bill is not to be proceeded with: that is a condition precedent to their doing any of the things which they afterwards pro-

pose. Now, my Lords, of course, we should be very glad not to proceed with the Bill if we were certain that the legislation that is necessary in this matter would be adopted by the colonists themselves. There are many advantages in that plan, and we would gladly entertain it. But what assurance or even probability have we? The delegates tell us that they will propose it to the legislature of Newfoundland. Well, of the sincerity and good faith of the delegates I have never had the very slightest doubt, but what power have they of insuring that the Newfoundland Legislature shall pass this measure? And what is the authority for assuming that the Newfoundland Legislature will pass the measure? Is it naturally inclined to such a measure? Why, we know that the *modus vivendi* only two or three months ago was the subject of a most bitter attack on the part of the Legislature as a whole. Are they inclined to co-operate with us in obtaining an arbiter's decision upon the meaning of these disputed Treaties? Why, only so far back as the 5th of December last we were informed, in reply to a proposal on our part for arbitration—

> "My Government cannot consent to any arbitration which does not include the withdrawal of the French from the coast."

That was the state of opinion in Newfoundland in December last. Are you sure that it is not the state of opinion in Newfoundland now? What ground have you for thinking that the great change of opinion which has come over the delegates since they entered this country extends to all their countrymen whom they have left behind them? And what security have we that they will pass the Bill they propose, or that the Bill they propose will, in its details, be a Bill which is necessary to meet this emergency? We have seen no Bill, we have had no detailed proposals even from the delegates. My Lords, if there had been this great conversion on the part of the Newfoundland Legislature I should have expected some action would have been taken by that Legislature already. The delegates have been in this country between a fortnight and three weeks. Some step towards passing one of these measures might have been very easily taken by the Newfoundland Legislature if they were so minded. But they have observed an absolute inaction. Surely we are justified in saying that, though we have an absolute belief in the sincerity of the promises made to us by the delegates, still we have no security that they so carry with them the opinion of their friends and colleagues, whom they have left behind, that those friends and colleagues will undergo the same change of opinion that they have undergone, and will pass this measure to which hitherto they have been so averse. Therefore, my Lords, the proposals of the delegates do not satisfy us because they are promises; they are not actual legislation, nor an attempt at legislation; and I venture to say, in answer to the noble and learned Lord opposite, that neither my noble Friend nor myself has ever at this Table intimated an intention on our part to withdraw this Bill in consequence of the receipt of mere promises by the delegates here.

LORD HERSCHELL: I did not suggest anything of the kind.

THE MARQUESS OF SALISBURY: What we insisted upon was that they should proceed to actual legislation — actual legislation suited to the emergency with which we are dealing, and in that case we should gladly withdraw the Bill. There is another objection, and that is that the Bill for carrying out the award of the arbitrator is only to last for one year. Now it is almost a derisory proposition. My experience of the movements of arbitrators leads me to believe that it is exceedingly improbable that the arbiters' sentence will be delivered very much before the expiry of that one year. But you tell me that the powers can be renewed by the Newfoundland Legislature, and that if they are not then renewed the Imperial Parliament can interfere. Yes, but Parliaments are not beings of that unbroken existence that you can rely upon their being always there, in order to carry any legislation that may be desired. They are subject to temporary suspensions of animation, they are subject, like mortal beings, to permanent suspensions of animation, and you can never be certain that at the time when the Newfoundland Legislature might indicate clearly its intention not to renew those powers, Parliament will be in a position to give you the Imperial

powers that you require: There will be delay. There may be weeks, months, intervening. Those weeks and months will be a period during which your officers will be powerless and disarmed upon the Treaty coast, unable to carry out any international obligation; and we may have to deal with a state of diplomatic circumstances different from what we have now to deal with. Now it seems absurd, with the enlightened Government which France happily possesses, to suppose that such a question as this could ever be pushed to any extreme arbitrament. But suppose there should be a change? It is easy, without going into them, to conceive many circumstances under which it would not only be most inconvenient, but even dangerous, that the power of carrying out the award should cease to exist at a moment when, from some circumstance or other, the British Parliament was unable to give a renewal of those powers to its Government. Why should the Bill be only for one year? I understand it is urged because the noble and learned Lord and the colony think there is a preferable procedure to that of the Act which we propose to renew. The same end without any of the dangers can be attained by passing an Act which shall repeal or supersede this Act; the result attained will be the same entirely, and none of the dangers will arise. The Newfoundland Government no doubt desire to put a certain pressure upon us to pass the amended law by holding before us the threat that this Act will not be renewed unless we do. But, my Lords, consider how many chances there are of our agreement falling through if such is the temper of mind of the two principal parties towards each other. Do they distrust us so much as that—that they will not assent to a permanent Act, lest they should lose a lever to get certain amendments of the law which they desire? They desire two things—they desire that a system of Courts should be set up, and that compensation should be given. I cannot imagine two subjects more likely to create debate, discussion, disputes, differences, and hopeless disagreement, and if these results, or either of them, should arise, your Act will not be renewed; your officers will be without

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powers on the coast, and it will entirely depend upon its being within the power of the British Parliament at the moment to give the necessary powers to the officers, whether you escape serious and dangerous international complications. I have only one thing more to say with respect to the general assumption that has governed this Debate. It seems to be thought that we are inflicting some new thing, some great hardship, on the Newfoundlanders by interfering in this matter at all, and that, not only they, but, as I understood the statement, all the colonists throughout the Empire would resent such an interference. I demur entirely to that doctrine. We are not interfering with anything we have not a right to interfere with. We are dealing with that which is our proper province—our Imperial province—the fulfilment of international obligations. These international obligations govern every right the Newfoundlanders have. We did not put the Treaty upon them; they went to a place where the Treaty already existed and was law; and it is as much our right and our power to deal with international and outside relations as it is their right and their power to deal with matters that concern themselves alone. And why should it not be so? Is not that the natural result of the reasons which have always guided us in dealing with these subjects? We gave to them unlimited power with respect to their own internal affairs because they would be the people to suffer if we made a mistake. Therefore it is right that they should in such matters be independent, and that we should not interfere with their discretion. But, if they make a dangerous mistake in this matter, it is not they who will suffer. It is we who run the whole risk, and they hardly run at all, for I do not suppose that in case of a war with France the French would take the trouble to invade Newfoundland. And, this being our risk, the whole burden and responsibility falling upon us, it is a matter of primary and vital necessity that we should have the necessary powers to defend our interests and our fellow-subjects, and also to comply with international duties, to fulfil international obligations and to enforce the observance of the pledge given by the country.

That is the power that we now ask of you, and I hope, if you are not resolved to give it to us, you will not cover and disguise and mask your refusal by these petty proposals for delay.

On Question, whether the words proposed to be left out shall stand part of the Motion? Their Lordships divided:—Contents 113; Not-Contents 30.

Resolved in the affirmative.

House in Committee accordingly.

Clause 1.

Verbal Amendments made.

*LORD KNUTSFORD: I have an Amendment to propose in line 14, to leave out from the word "also" to the end of sub-head I., and insert the words—

("A temporary arrangement made with France for the fishing season of 1891, set out in the second Schedule to this Act, and any continuation of the same pending the arbitration agreed upon in the first, second, third, fifth, sixth, and seventh Articles of an Agreement between Great Britain and France, signed on the 11th March, 1891, and shall also include any provision for giving effect to the decision in such arbitration.")

The only object of this Amendment is that it was thought desirable to insert the temporary arrangement with regard to the *modus vivendi* in a second Schedule and to limit any continuation of it pending the arbitration which has been agreed upon, and which is referred to in this Amendment as having been signed on the 11th of March. It also includes a provision for giving effect to the arbitration.

Amendment moved,

In line 14, to leave out from the word ("also") to the end of sub-head I., and insert the words ("A temporary arrangement made with France for the fishing season of 1891, set out in the second Schedule to this Act, and any continuation of the same pending the arbitration agreed upon in the first, second, third, fifth, sixth, and seventh Articles of an Agreement between Great Britain and France, signed on the 11th March, 1891, and shall also include any provision for giving effect to the decision n such arbitration.")—(*The Lord Knutsford.*)

THE EARL OF DUNRAVEN: Are we to understand by the arbitration that it is arbitration upon the fishery point or the lobster point, or upon all the subsidiary questions which may be raised? I might point out that this section provides that the temporary arrangement with regard to the *modus vivendi* may be continued during the pending arbitration agreed upon. If that is merely as regards the arbitration in reference to the lobster question, I think it would be a much shorter way of doing it to say so.

*LORD KNUTSFORD: That is so. The *modus vivendi* only refers to the lobster question, and the only question referred to the arbitrators is the lobster question.

Amendment agreed to.

*LORD KNUTSFORD: Then at line 17, I move to leave out the sub-heads 2 and 3 of Clause 1. That is, in effect, to leave out of this Bill any reference to permanent arrangements, and to confine the scope of it to the temporary arrangements, the decision of the arbitrators, and the *modus vivendi*.

Amendment agreed to.

Clause 1, as amended, agreed to.

Clause 2.

Verbal Amendments made.

LORD HERSCHELL: After Clause 2 I have to request your Lordships to accept a new clause which I propose, making this Act a temporary one. I cannot help thinking that the light in which it will be regarded will be somewhat different whether it is a temporary or a permanent measure, and in the next place I have a very strong feeling that as a matter of principle it ought to be made only temporary, because it is, to my mind, a very unsatisfactory piece of legislation for the purpose for which it is intended. It contravenes, I think, sound constitutional principles; and although that might not be a sufficient reason for not passing the measure under urgency, it is not less a reason for not making such a measure a part of the permanent Statute Law. With regard to the question of the view of the delegates as to passing a temporary measure and dealing with the matter more satisfactorily as a permanent measure, I would call the attention of the noble Lord the Secretary of State for the Colonies to a passage in the address of the delegates at the Bar of your Lordships' House, which I think he has overlooked as throwing light on the meaning of their proposal. It is on page 9—

"We regret that up to the present moment these propositions have not been accepted, nor has any hope been held out that they will be.

The temporary legislation, which we have proposed to procure the enactment of, would be immediately adopted by the Legislature of the colony, and present needs thereby amply met. I may here observe, my Lords, that we represent before you to-night all shades of political opinions in the island of Newfoundland, and, therefore, our promise to do this may be relied upon as though the Act were passed. The details of a permanent and thoroughly satisfactory measure would be arranged and enacted without delay by the Legislature of the colony."

That seems to me to clearly indicate that the legislation was temporary and not merely, as the noble Lord states, for one year.

*LORD KNUTSFORD: To which we did not agree.

LORD HERSCHELL: What I am calling attention to is what the noble Lord said, that the Government were prepared to accept the 1st Sub-section A as standing alone, and, certainly, as interpreted by them in the following passage, it appears to me to indicate that they only intended temporary legislation.

Amendment moved, after Clause 2, to insert the following clause:—

"This Act shall continue in force only for one year and until the end of the then Session, if Parliament be then sitting, or if Parliament be not then sitting, until the end of the then next Session of Parliament." — (*The Lord Herschell.*)

*LORD KNUTSFORD: The noble Lord asked me, a short time ago, to state what my words were on the occasion to which he referred. I have the passage here, and I find I said—

"If at the time the Colonial Legislature has passed an Act which, in the opinion of Her Majesty's Government, sufficiently secures the observance and execution, first, of the *modus vivendi* of 1891;"—

I kept that quite separate—

"secondly, the decision of the arbitrators upon the lobster question"—

for which I certainly did not consider legislation for one year would be any use—

"and, thirdly, the observance of the Treaty and Declarations."

which again would not be met by legislation for one year.

LORD HERSCHELL: That does not seem to me to affect the duty of enforcing it. It never was proposed that you should enforce it for one year, and then stop — nobody supposed that. That would have been absurd. It was admitted by the delegates that you must always have some means of enforcing it, but whether a particular measure should be for one year, and then that you should enact a more satisfactory method, was the question. That is the first point which arose on the Bill. I make no objection to this as a temporary measure, but let me call attention to what it proposes. It proposes to revive, at a time when they are utterly unsuitable, powers which might have been very well exercised in the middle of the last century.

THE MARQUESS OF SALISBURY: Hardly the middle of last century—1834 was the date when the Act expired.

LORD HERSCHELL: That is quite true, but the first Act was passed in 1718, and I do not regard an Act which is continued merely from time to time as being in the same category with an Act which is then enacted for the first time. Parliament very often continues, as a matter of convenience of State policy and so on, Acts of a description which it would never have enacted at the time it continues them. However that may be, even if it was in the year 1834, I hope that in some respects we are wiser than they were in that year. We have passed a good many Acts since 1834 correcting a good many things which were done then and previously. But what I want to ask your Lordships is this. Do you desire to assert that it is a proper means of enforcing a Treaty, to give naval officers within the limits of one of our colonies, powers which are absolutely to be determined by the Government of the day, so that naval officers, on the instructions of the Government of the day, may go on shore in one of our colonies and may deal with individuals and with their property on the arbitrary instructions of Her Majesty's Government, without any means of questioning their propriety before any tribunal? That is what this Bill proposes. I do not care whether it was enacted in 1834 or in the middle of the last century; it is not a thing which we ought to enact in 1891. It may be difficult for the noble Marquess to concede so much, but he said he felt the force of the argument that the administration of these disputed rights through

the Courts would be a superior mode of enforcing them.

THE MARQUESS OF SALISBURY: I said there is a better way.

LORD HERSCHELL: Then if the noble Marquess is conscious that there is a better way, he ought not to enact a way which is worse. You are obliged to do it now, but make the Bill temporary, giving yourselves time to work out the proper legislation afterwards. But in this matter you are saying to the colony: "We are legislating for you as Her Majesty's Government have the right and power, no doubt, to do, on a system which we admit not to be the best, and which we believe to be open to objection; but we are not content to make it on that account a temporary measure, but we will make it permanent." Now, is that wise—is it desirable? I have heard the objection which the noble Marquess opposite has made to temporary legislation. He said that Parliament may not be always sitting, and that you may not be able always to legislate; but I propose that the legislation should continue for one year, and then if Parliament is not sitting, until the next Session, and if not then sitting until the end of the next. Therefore I have provided, I think, for every case which can arise before there is a possibility of this Act expiring. Surely it would be better, if your Lordships can, to fall in with the desires and wishes of the Newfoundlanders; the more so, as I have pointed out, when we are re-enacting legislation to which grave exception may be taken. I should myself have preferred, if it had not been necessary for this measure to be pressed on, to have elaborated a substituted scheme for this, which seems to me to be most objectionable; but I am willing that this legislation should go on for a year, giving that time for the elaboration of a better scheme; but I see no such difficulty, as the noble Marquess suggests, in passing this as a merely temporary measure in the meantime, until we can devise a more satisfactory arrangement.

THE MARQUESS OF SALISBURY: I do not think the noble and learned Lord is giving an accurate representation of what the Bill enacts. It does not enact that the Orders in Council shall have effect without any power of approval by Parliament. It enacts that before they are made effectual they shall be laid before Parliament.

LORD HERSCHELL: No doubt that was the proposal with regard to an Order in Council providing for a permanent arrangement; but for the purpose of the 1st section, there is no Order in Council necessary. These Orders come into force *ipso facto*, and at once revive the powers.

THE MARQUESS OF SALISBURY: I have not the least objection to putting that clause in again if that is what the noble and learned Lord means.

*THE EARL OF KIMBERLEY: It never did apply to Section 1.

THE MARQUESS OF SALISBURY: I think it did; but we have always differed as to the meaning of that. However, I will not raise a discussion upon it now. I am perfectly willing that we should re-introduce it. We can do it in the Standing Committee to-morrow. The third, I see, ought to have been kept in, and we will put that in too. But with regard to this question of the temporary measure, the criticism which I venture to pass upon it, like that which I passed on the last Amendment moved from that Bench, is that it is very trivial, carries with it very little importance, and rather gives a grotesque air to what we are doing. If we were passing a law of the Medes and Persians, which afterwards could not be altered, there would be great force in the noble and learned Lord's contention that we should not enact a less perfect process until we had had the opportunity of considering a better process. But we are doing nothing of the kind; we are passing a law which we can alter with as much facility as we make it. The only difference between the procedure I propose and that proposed by the noble and learned Lord is, that I propose that we shall keep the old process, the inferior process, until we have got the new one, while the noble and learned Lord proposes that the old process shall disappear whether you have got the new one or not, and that you shall run all the risks which the blank may cause. I do not say the risk is very great. I daresay Parliament will always take care to renew the Bill; but there is no possible reason for running such a risk. It is a risk absolutely and gratuitously run for

the sake of a mere piece of legislative pedantry. Just consider what these renewed Bills are, and what the result is of having Bills constantly renewed. They have become a perfect scandal. We had a very celebrated instance, which has now happily disappeared. For nearly 130 years the Dissenters were admitted to the House of Commons by a Bill which was renewed annually. I believe that now the people are exempted from rates in respect of personal property by a Bill which has been renewed for some century and a half. Some 20 years ago we passed, after much discussion, a Ballot Bill in this House, and it was thought we got a good security against any evil because we limited its duration to 10 years. We thought it might then be re-considered. The 10 years went by, and the Ballot Bill found its place, with some 20 other Bills, in the Expiring Laws Continuance Bill, which passes every year through Parliament without discussion; and it has continued since then as it was in the first instance. It is a mere form adopted according to the ordinary practice of Parliament, but if any accident should happen, it is a dangerous and inconvenient form. It will leave a gap which will produce evil. No present evil will be caused by passing the Act in this shape, because it is always in your power to substitute for your present procedure a procedure which will be elaborated and be probably a superior one. All the advantages are therefore on the side of making the law permanent; no possible harm can be caused by passing the Act in this shape, and there is nothing but foolish formality in making it temporary.

*THE EARL OF KIMBERLEY: My Lords, I almost feel alarmed at addressing the House; the noble Marquess has used such terrible language and employed such dreadful epithets against those who do not agree with him. He has twice told us that our propositions are grotesque, he has told my noble and learned Friend that he is guilty of pedantry, and the last expression which he used was, I think, that we were urging a "foolish formality." But I am not deterred by those epithets at all, because it seems to me that we have some substance on our side. The noble Marquess says these Acts are apt to be renewed from time to time without discussion. If that is so I do not see what the difficulty of the noble Marquess is, because if he is right the Bill will certainly go on being renewed by Parliament year by year, and it will practically come to the same thing as if it was a permanent Bill. But I do not quite take that view. If it is not made permanent the Newfoundland Government and Legislature will take great care to call the attention of Her Majesty's Government to the fact that the Act has expired, and that they protest against its being renewed. But is this mere pedantry? Mere *tu quoques* are not valuable, and I shall not attempt to use them. Is it grotesque? I think it is most grotesque to pass this Act, simply because if you do not pass it you may not have time or opportunity to pass a good Act. I should think the common sense of the matter is this: If you are obliged under the circumstances of the case, and I contend that if we are obliged here to pass an Act which contains a method of procedure of which no one approves, you should pass it for such a time only as will enable you to fully consider and frame a better Act, and then to pass that better Act.

*LORD THRING: My Lords, I really feel very strongly upon this question. I will ask your Lordships to consider this—can there be any greater hardship inflicted upon a colony than to give the naval officers absolute power to legislate within its territory without any appeal whatever, that is the first point. Then we are told that it is grotesque and pedantic to object to this measure. I would ask, is it a fitting reward for what the colony has done that they should have such epithets applied to them.

THE MARQUESS OF SALISBURY: I never said it of the colony. I have never called the colony grotesque or pedantic.

*LORD THRING: Is it then grotesque on the part of noble Lords on this side of the House who object to this cruel tyranny? Your Lordships' attention has never been called to the facts. You have had this Treaty of Utrecht, this oppressive and galling Treaty, carried out for 200 years. Your Lordships have not been told that this Act which we have now revived was only in force for 10 years, and was then dropped, and

that its predecessor was only in force for 10 years. Then how was the Treaty of Utrecht carried out? It was carried out by the concurrence and goodwill of the colony, because they gave the naval officers a commission, a colonial commission, and under that colonial commission the naval officers acted, and had full power to act. We are now told that a new Act is absolutely requisite. Why? Because of the case of Sir Baldwin Walker. But the case of Sir Baldwin Walker has not been fully brought before this House. I have been told that he was not exercising his proper jurisdiction under the colonial commission, but that he was acting under direct instruction from the State; which, of course, he had no power to execute. But, my Lords, the Treaty of Utrecht there has always been ample power to execute. And what is the object of this Bill which has been brought forward? It says in its very Preamble that it is going beyond the Treaty of Utrecht. It says it is imposing fresh obligations on the colony, because it says the clauses of the Bill are to extend and to apply as if they were enacted in the Treaty. If it were a Bill to carry into effect only the Treaty of Utrecht we should not complain of it; but it is to carry into effect something beyond, and out of theTreaty of Utrecht. And then we are told that the colony which has suffered this grievous wrong of having the provision of the Treaty of Utrecht enforced by Act of Parliament is not to complain of it. I think it is a Bill which above all deserves the reprobation of your Lordships in its present form, and that the least you can do is to make it temporary.

LORD HERSCHELL: My Lords, as I understand the noble Marquess, in his view, any one who objects to enact in a permanent form a measure by which the law is administered by the arbitrary determination of the Executive and not through the Courts is grotesque and a pedant. All I can say is if in the noble Marquess' view that is his definition of what is grotesque and pedantic, I trust most sincerely I shall even be a pedant and grotesque. But I rise chiefly in order to call attention to a matter which I confess I do not altogether understand. What I was pointing out was this, that under the Bill an absolute arbitrary uncontrolled power is given to naval officers to go ashore on British territory and to deal with the property of British subjects.

THE MARQUESS OF SALISBURY: That depends upon the Orders in Council.

LORD HERSCHELL: I do not see how it depends upon the Orders in Council. The noble Marquess seems to be under that impression; but let us see what the enactment is. The enactment set out in this Schedule shall be revived and be of full effect, and shall include the Newfoundland fishery and any temporary arrangements. Now what are the powers revived?—

> "It shall and may be lawful for His Majesty, His Heirs and Successors, by advice of His or their Council, from Time to Time to give such Orders and Instructions to the Governor of Newfoundland, or to any Officer or Officers on that Station, as He or they shall deem proper and necessary to fulfil the Purposes of any Treaty or Treaties now in force between His Majesty and any Foreign State or Power; and in case it shall be necessary to that end, to give Orders and Instructions to the Governor or other Officer or Officers aforesaid, to remove or cause to be removed any Stages, Flakes, Train fats, or other Works whatever, for the Purpose of carrying on the Fishery, erected by His Majesty's Subjects on that Part of the Coast of Newfoundland;"

and so on. That will be as soon as this Act passes into law; there is no provision as to Orders in Council.

*LORD KNUTSFORD: The noble Lord forgets the words, "His Majesty, his heirs, and successors, by advice of His or their Council."

LORD HERSCHELL: "With the advice of His Council," means the Government of the day. Does the noble Lord mean to say that that refers to anything but the Act of the Executive?

THE MARQUESS OF SALISBURY: There must be an Order in Council.

LORD HERSCHELL: Whether they do it in that way or in any other, there is no control of Parliament over it.

*LORD KNUTSFORD: You propose that we should give it; and the point shall be considered.

LORD HERSCHELL: I say there is no control of Parliament over it whatever. Is it suggested that Instructions to the naval officers are to be embodied in the Order in Council? I should doubt whether that could be done. It is certainly not provided in the Act, and

I would suggest for the noble Lord to consider well before he embodies all that in an Order in Council to be laid before Parliament. There is certainly great danger in doing it in that way. I do not understand the provision in the Bill as it stands. It seems to me in any event to give the Executive power to exercise that arbitrary authority untouched by any Courts whatever. However, I feel the force of circumstances, and I do not urge that now; but I would suggest to the noble Lord whether, if he puts in such a provision as that, it might not, at any rate for the present year, endanger the success of its working. But all that only points to the expediency of not meeting the objection I have made by an expedient which may do more harm, I think, even from the point of view of the framers of the measure, but of enacting it merely as a temporary measure, giving in that way an assurance that a better scheme will be enacted in the future.

THE MARQUESS OF SALISBURY: May I be permitted to explain, in reference to what the noble and learned Lord has just said? The noble and learned Lord has stated that I applied the word grotesque; but I applied it to something quite different, and not to this Motion at all. I do think, however, it is pedantic, not because it is a proposal to pass for a limited time a provision for power to be given to the Executive, but because it is passing for a limited time a power which it is absolutely necessary for international purposes should exist continuously. To do that in deference to some species of constitutional prepossession does seem to me to justify the epithet that I used.

Their Lordships divided:—Contents 21; Not-Contents 61.

First Schedule.

LORD HERSCHELL: My Lords, on the first Schedule I should like to call the attention of the noble Lord to the point to which the noble Earl called attention on the Second Reading of the Bill. I have every desire certainly that if this Bill is passed it should do as much good and as little mischief as may be. Now, one of the objects of this Bill is to enable the *modus vivendi* to be carried out. The *modus vivendi* affects the lobster fishery. We contend, as I understand, and always have contended, that the establishment of this factory for canning lobsters is not exercising fishing rights within the Treaty. That is the essence of our position. That, of course, is so as regards the French, and if it is not so as regards the French it cannot be as regards the inhabitants of Newfoundland. Now, to enforce the *modus vivendi* the very object is to give power to deal with the lobster canning factories. This Bill, when it is passed, will only give power to remove stages and so on, and other works erected by Her Majesty's subjects for the purpose of carrying on the fishery. Now, in order to contend that under that there was power to deal with the lobster factories for the purpose of carrying out the *modus vivendi* in that respect, we should have to contend, and it will be an argument used against us: "Why you have actually passed a Bill to deal with the *modus vivendi*, the only mode of dealing with which is to treat these things as having been erected for the purpose of the fisheries, while you contend that they have nothing to do with the fisheries whatever." That seems to me to be most dangerous, first, because it would not give the powers desired, and next because it would prove a most cogent argument against us when we come to deal with these things in arbitration. I would therefore beg Her Majesty's Government to reconsider this point, and, as the wording of the Schedule may lead to ambiguity on the question of lobster fishing, and as that might be used to our prejudice in the arbitration, not to pass the Bill as it stands.

THE MARQUESS OF SALISBURY: I agree generally with what the noble and learned Lord says, but I find that all of his profession are not of the same opinion. Of course that always creates some difficulty, but I hope to-morrow we shall, in Standing Committee, be able to introduce some words to meet the point which the noble and learned Lord suggests. It may or may not be true that that will give us the necessary powers, but we shall be able to deal with that in Standing Committee.

LORD HERSCHELL: That is what I was going to point out, that my opinion might be shared by those concerned in

the arbitration, and it might be found ambiguous.

*LORD KNUTSFORD: I was going to point out that it is admitted that the term "fishery" under the old Act does not include the lobster catching for the reasons the noble Marquess has stated, and therefore it became necessary by special terms to make the Act extend to the *modus vivendi* and to the decision of the arbitrators, and this was done by the first clause.

LORD HERSCHELL: Of course it may not be so, but I was looking rather to how it might be used against us in the arbitration. It was merely as a matter of precaution that I urged it.

LORD DENMAN: My Lords, I hope this Bill will not be referred to Standing Committee, but to a Committee of the Whole House. I trust we shall not be obliged to send it to two Committees instead of one.

Bill re-committed to the Standing Committee; and to be printed, as amended. (No. 114.)

STATUTE LAW REVISION BILL [H.L.] (No. 77.)

Read 2ª (according to order), and committed to a Committee of the Whole House To-morrow.

House adjourned at Seven o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 4th May, 1891.

QUESTIONS.

THE MANIPUR EXPEDITION.

MR. CRAWFORD (Lanark, N.E.): I beg to ask the Under Secretary of State for India whether he will lay upon the Table the instructions given to Mr. Quinton for the expedition to Manipur?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): Yes, Sir; the Despatches, when printed, will be laid upon the Table.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for India whether the Papers relating to the Manipur Expedition, which he has promised to present to the House, will include, not only such instructions as may have been given to Mr. Quinton by the Government of India, but all communications which have passed between the India Office here and the Government of India upon this subject?

SIR J. GORST: Yes, Sir; the communications between the Secretary of State and the Government of India will be included in the Papers presented to the House.

MR. BRYCE: Can the right hon. Gentleman say how soon he thinks the Despatches will be laid upon the Table?

SIR J. GORST: I said last week that the Secretary of State is waiting for the Despatches, and they are now on their way from India. When I left the India Office to-day they had not arrived. They ought to arrive to-day.

GUARANTEED RAILWAYS IN INDIA.

SIR G. CAMPBELL (Kirkcaldy, &c.): I beg to ask the Under Secretary of State for India what are the railways for which the Secretary of State has given or offered a guarantee, and what is the amount and duration of the guarantee in each of such cases; and whether, in cases in which a concession has been given, any deposit or security has been exacted to bind the applicants, or whether in any cases concessions have been given which leave the concessionaires free to take them up if they find they can raise the money so as to make a profit for themselves, or to throw them up if they cannot?

SIR J. GORST: A proposed company for making a railway from Chittagong to Assam is the only one to which such a guarantee has been offered. The Secretary of State does not think it would be fair to the promoters of that company to promulgate the terms of the guarantee in reply to the question of the hon. Member.

SIR G. CAMPBELL: The right hon. Gentleman has not answered the last paragraph of my question, as to the security which it is proposed to exact.

SIR J. GORST: That would be promulgating the terms of the guarantee, which my noble Friend the Secretary of State is unwilling to do.

THE CONGO — TREATMENT OF NATIVES BY THE BELGIANS.

MR. SCHWANN (Manchester, N.): I beg to ask the Under Secretary of State for Foreign Affairs whether he is aware that when the Belgian steamer *Le Roi Souverain* reached Boma a month or two ago, the Governor General went on board and selected 83 Krooboys (out of 400 contracted as labourers for the Railway Company) as soldiers and marched them off in spite of the captain's protest on their behalf; if he has no information, will he make inquiries on the subject; and are Kroomen under the protection of the British Crown?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): We have no information on the subject. If by the term "Kroomen" natives of the Kroo coast are indicated, the answer is that they are not under British protection. It is not for Her Majesty's Government to inquire into the conduct of a Belgian official where no British interests are concerned.

LOCAL LOANS STOCK.

SIR G. CAMPBELL: I beg to ask the Chancellor of the Exchequer if the Local Loans Stock is over and above the £679,992,000 net liabilities of the State on 31st March, 1891; what is the total amount for which the taxpayers of this country as a whole are ultimately responsible, in excess of that £679,000,000, in the shape of local loans and guaranteed debts; and if he can distinguish those local and guaranteed loans as made or guaranteed for England, Scotland, Ireland, British Colonies and Possessions, and foreign countries?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The figure of £679,922,000 represents the net liabilities of the State. The net liabilities do not include local loans, where there are corresponding assets. The method of arrival at the net liabilities will be best seen by the hon. Member if he turns to the Return known as that of the right hon. Member for Derby, No. 343, 1890, pp. 4 to 7. On pages 16-17 of the same Return will be found a statement in detail of all the national liabilities of a contingent or indirect character. On pages 134-135 of the Finance Accounts of 1890 will be found the distribution of the loans between the different portions of the Empire.

TECHNICAL EDUCATION AND THE BEER AND SPIRIT DUTIES.

MR. H. H. FOWLER: (Wolverhampton, E.): I beg to ask the Chancellor of the Exchequer how many counties and county boroughs have applied the contribution made from the Beer and Spirit Duties to technical education; and what are the amounts so applied?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): My right hon. Friend has asked me to answer this question. From the Returns already received in reply to a Circular issued by the Science and Art Department at the end of March last, it appears that of the 50 County Councils and 60 county boroughs in England, 16 of the former and 25 of the latter have already decided to apply the whole of their share of the residue under the Local Taxation (Customs and Excise) Act of 1890 to Science and Art and technical education. Nine County Councils and two county boroughs have made grants varying from "nearly the whole" to a smaller proportion of their share to the same purpose. Twelve County Councils and seven county boroughs have the matter under consideration; that is to say, they have appointed Committees, and in many cases the Committees have recommended the allocation of the whole, or the greater part of the residue fund, to technical instruction, but their Reports have not yet been confirmed by the County or Borough Councils. I am not able to give the amounts, but they can be supplied in the form of a Return if the right hon. Gentleman will move for it later in the Session, when the information will be more complete. With regard to Wales, the question is complicated by the fact that the Welsh Intermediate Education Act includes technical instruction, but it appears that four County Councils and one county borough have applied the whole of their share of the residue under the Intermediate Education Act; while two County Councils and one county borough have divided their *quota* between that Act and the Technical In-

struction Act. The remaining County Councils have either made no Return or else have the matter under consideration.

MR. H. H. FOWLER: May I ask whether, having regard to the fact that so large a number of County Authorities have followed the example of the County of London, and have not applied this money to technical education, the Government will be prepared to make such application compulsory?

SIR W. HART DYKE: That is a question that may be worth considering.

MR. ROWNTREE (Scarborough): I beg to ask the President of the Local Government Board in how many counties have any arrangements been made by which non-county boroughs will be intrusted with the application and distribution of their share of the contribution of the Beer and Spirit Duties available for technical education under Clause 1, Sub-section 3, of "The Local Taxation (Customs and Excise) Duties Act, 1890"?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): As a considerable number of counties have not yet come to a final decision as to the allocation of the duties referred to, it is not possible to give a complete statement on the subject. I shall have no objection to giving a Return showing the allocation when I am in a position to make it a complete one.

POLITICAL ECONOMY AND GOVERNMENT EXAMINATIONS.

MR. LEVESON-GOWER (Stoke-upon-Trent): I beg to ask the Under Secretary of State for Foreign Affairs whether political economy has been struck out of the compulsory subjects for examination for the Foreign Office or Diplomatic Service; and, if so, whether he can state for what reasons this has been done?

SIR J. FERGUSSON: There will in future be one examination qualifying for both Services. Political economy is omitted from the examination. The Secretary of State considers that the subject is not one that affords a good test for a competitive examination, and that the amount of knowledge which would be acquired for the purposes of competition would be of little value in the future career of the candidates. Other subjects have been added to the examination which are considered to be of more value.

MR. LEVESON-GOWER: In consequence of the answer of the right hon. Gentleman, I beg to give notice that I will take an early opportunity of calling attention to the subject.

SIR G. CAMPBELL: May I ask whether, apart from competitive examinations, it would not be possible to require some knowledge of political economy in these Services?

SIR J. FERGUSSON: No, Sir. The Secretary of State is of opinion that the examinations may be more usefully devoted to other subjects.

THE ELECTION OF ALDERMEN.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to ask the Secretary of State for the Home Department whether his attention has been called to a recent case in which the Mayor of a borough, being a candidate for the appointment of Alderman, presided at the election, and, the numbers being equal, gave a second or casting vote for himself, and returned himself as duly elected; whether, having regard to the principle that a man cannot preside at his own election and return himself elected, the election was valid; and whether the Mayor was capable of acting in the execution of his powers and duties as to elections, within the meaning of Section 67 of "The Municipal Corporations Act, 1872"?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): My attention has been called to this case. It is no part of my duty to decide points of law such as are raised by my hon. Friend in the second and third paragraphs of his question. It is for those who dispute the validity of the election to raise the question in a Court of Law.

LAGOS.

MR. PICTON (Leicester): I beg to ask the Under Secretary of State for the Colonies whether the Secretary of State for the Colonies has received a Memorial from 246 inhabitants of Lagos, dated December, 1890, calling attention to the frequent and disastrous raids and kidnapping expeditions from Dahomey on

the Yoruba country, and to the neglect of Article 1 of the Treaty of Cession in 1861, to the following effect:—

"In order that the Queen of England may be the better enabled to assist, defend, and protect the inhabitants of Lagos, and to put an end to the Slave Trade in this and the neighbouring countries, and to prevent the destructive wars frequently undertaken by Dahomey and others for the capture of slaves, I, Docemo, do with the consent and advice of my Council, give transfer,"

&c.; and, if so, whether he will inform the House as to the action which Her Majesty's Government proposes to take in the matter?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The Petition has only recently been received, as, although dated in December last, it was not sent to the Governor until the 28th February. It will receive the careful consideration of Her Majesty's Government; but I may state that the Governor was authorised, before the arrival of the Memorial referred to, to send a letter to the King of Dahomey protesting against his making an anticipated raid, and warning him.

THE CHILIAN REVOLUTION.

MR. WATT (Glasgow, Camlachie): I beg to ask the Under Secretary of State for Foreign Affairs whether the Government are aware of the fact that a large number of sailors and other British subjects are being forcibly detained in the service of the Chilian Insurgents; and whether he will state what instructions have been sent out to Her Majesty's Representatives for the protection of life and property in connection with the Chilian Revolution?

SIR J. FERGUSSON: The only Report of any circumstance of this kind is contained in a Despatch from the Vice Consul at Punta Arenas of the 4th February last. He mentioned that there were on board the *Almirante Lynch*, which had declared for the Chilian Government, about 30 sailors of British nationality besides some of other nations, and that the engineers were English, and that it was reported that they were kept on board against their wishes under promise of double pay. But the *Almirante Lynch* and her consorts went at once to Monte Video, and new crews were sent to them overland from Santiago. Neither the Admiral nor Her Majesty's Minister at Santiago have alluded to any incident of the kind in their Reports. Their instructions are, generally, to protect British subjects and vessels to the best of their power from illegal molestation; and they seem to have exerted themselves very effectively for the purpose. It is scarcely possible that any large number of British subjects should have been illegally detained in the manner described without their having mentioned it. But inquiries will be addressed to them by telegraph.

BRITISH GUIANA.

MR. WATT: I beg to ask the Under Secretary of State for the Colonies whether the Secretary of State has nominated a successor to Colonel Cotton as Inspector General of the Armed Police of the Colony of British Guiana; and whether any scheme has been received from the Governor for the defence of the colony since the removal of the Imperial troops?

BARON H. DE WORMS: The Secretary of State has selected Colonel McInnis, Commandant of Local Forces in Trinidad, to succeed Colonel Cotton. Arrangements for strengthening the local forces in the colony are under the consideration of Her Majesty's Government and the Colonial Government.

THE NEW POST OFFICE BUILDINGS.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the First Commissioner of Works whether his attention has been called to the statement that Mr. Chapple, the contractor for the New Post Office Buildings, St. Martins-le-Grand, has further sublet the first floor to Messrs. Smith and Taylor; and, if so, will he explain on what grounds this has been done, in view of his statement that sub-letting was carefully limited, and that no further portion of the stonework would be submitted to be sub-let?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): I have made inquiry of Mr. Chapple, and I am assured that there is no foundation whatever for the statements referred to in the question of the hon. Member.

TRADE INCORPORATIONS AT AYR.

Mr. SOMERVELL (Ayr, &c.): I beg to ask the Lord Advocate whether he is aware that the funds of certain Charitable Institutions in Ayr are being diverted from their original purpose; and, if so, whether he can suggest a remedy for the misappropriation of these funds, or direct an inquiry into the working of the existing Trade Incorporations of Ayr?

*The LORD ADVOCATE (Mr. J. P. B. Robertson, Bute): I presume the question of my hon. Friend refers to the three Incorporations of Tailors, Weavers, and Fleshers of Ayr. As regards the first, my only information is that there is an existing membership, and that recently a Mr. Loudon raised an action in the Court of Session asking that he should be admitted a member, but in this claim he was unsuccessful. The case of the Weavers' Incorporation has also been the subject of litigation, which does not appear to have yet been finally decided, and the membership of the Fleshers' Incorporation having become extinct, the property which formerly belonged to them has fallen to the Crown as *ultimus hæres*. I am further informed that a movement is on foot to ask that the sums which have fallen to the Crown may be devoted to benevolent purposes within the district; but as this is a matter which falls to be dealt with by the Treasury, I am unable to give my hon. Friend any further information on the subject.

SOLDIERS' CLOTHING.

Mr. H. S. WRIGHT (Nottingham, S.): I beg to ask the Secretary of State for War whether he is now able to announce what scale of issues the soldier will in future receive, or will he be granted a money allowance to purchase his clothing as required; what in future will be done regarding the worn-out clothing; and will it become the property of the soldier absolutely?

*The SECRETARY OF STATE FOR WAR (Mr. E. Stanhope, Lincolnshire, Horncastle): The whole question of the issue and disposal of soldiers' clothing is at present under our consideration, and I am sorry not to be able at present to announce any decision upon it.

Mr. HANBURY (Preston): Will the right hon. Gentleman announce the decision before the Estimates come on?

*Mr. E. STANHOPE: I am afraid I cannot undertake to do that.

MAXWELLTOWN BURGH.

Mr. R. T. REID (Dumfries, &c.): I beg to ask the Lord Advocate whether a burgh, situated as Maxwelltown is, with a separate Local Authority to administer the Public Health Acts, can be legally assessed for the salaries of the County Medical Officer and Sanitary Inspector, for which they are receiving no benefit, inasmuch as the burgh is already assessed by the Burgh Local Authority for the salaries of the Burgh Medical Officer and Sanitary Inspector?

*Mr. J. P. B. ROBERTSON: The salaries of these county officers are paid out of the general purposes rate, and burghs such as Maxwelltown contribute their proportion towards the payment of these salaries. It is no doubt the case that such burghs are also assessed under the Public Health Act for the salaries of their own Medical Officer and Sanitary Inspector, but, in this respect, they do not differ from the Rural Sanitary Districts. The new Medical Officer is appointed to take a general supervision of the sanitary condition of the whole county, including both urban and rural districts.

HE AMERICAN MAILS.

Mr. LENG (Dundee): I beg to ask the Postmaster General whether he is aware that, on each alternate Thursday from this date to the close of the year, a much faster steamer than the vessel carrying the mails by contract is arranged to leave Queenstown for New York at the same hour with the mail steamer; if he is aware that, in the case of these steamers, the average passages last year of the non-mail carrying steamers were fully two days quicker than those of the mail carrying vessels; and will he sanction any method whereby merchants sending correspondence to America may be informed of the advantage of two days' earlier delivery to be gained each alternate Wednesday by sending their letters, not by the mail steamers, but specially addressed?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): I am informed that on Wednesday next the contract packet *Majestic* carries the regular mails from Queenstown to New York, while the private steamer *City of Berlin*, a much slower vessel, carries ship letter mails. As regards future sailings, the Post Office has no notification at present, as the owners only furnish such information weekly; but it is probable that, on some occasions this year, as last year, a faster non-contract steamer will sail on the same day as the contract packet. The names and dates of sailing of non-contract steamers, as well as those of the contract packets, are published in the Post Office daily list, and the public are notified that all letters superscribed to go by the non-contract steamers, in preference to the contract packets, will be so forwarded.

THE BUDGET SURPLUS—APPLICATION OF THE SCOTTISH PORTION.

MR. BRYCE: I beg to ask the Chancellor of the Exchequer whether, in view of the growing feeling in Scotland in favour of applying to various educational purposes the greater part or even the whole of the sum to be allotted to Scotland, in conjunction with the sum to be allotted to free education in England, he will endeavour to state the proposals of the Government for the application of this Scotch sum before the Whitsuntide Recess, in order to give full opportunity for the expressions of opinion in Scotland upon the subject?

MR. M. J. STEWART (Kirkcudbright): May I also ask whether the Chancellor of the Exchequer is acquainted with the growing feeling existing in Scotland, as proved by the deputation of persons from influential bodies and authorities, that a considerable part of the sum in question should be applied to the relief of ratepayers?

MR. H. ANSTRUTHER (St. Andrews, &c.): Is it not a fact that the Municipal Authorities of Edinburgh, Glasgow, Aberdeen, Dundee, Greenock, Paisley, and many Parochial Boards of important cities in Scotland have made representations in the opposite sense to that indicated by the question of the hon. Gentleman (Mr. Bryce) below me?

MR. GOSCHEN: I can answer the questions of fact. It is the fact, as the hon. Member for St. Andrews suggests, that representations have been made to me by those important authorities and bodies to which allusion has been made. The hon. Member for Aberdeen asks me whether, in view of the growing feeling in Scotland in favour of a certain application of this fund, the Government will do a certain thing, and my hon. Friend behind me asks me whether, in view of the growing feeling in Scotland in a certain other direction, I will do a certain other thing. I can speak to facts, but not to growth. Under these circumstances, I am not prepared to say "yes" or "no" to the Preamble of the question of the hon. Member for Aberdeen; and, as to the substantive part of his inquiry, I am afraid I am unable to give any positive pledge at present.

DR. CAMERON (Glasgow, College): Will the right hon. Gentleman state the precise amount of money that will be allocated to Scotland?

MR. GOSCHEN: I cannot at present state the exact amount, but it will be in the proportion of 11 per cent. of the whole.

MR. BRYCE: Will the right hon. Gentleman make the matter a little more clear? Can he not indicate in some way the objects contemplated by the Government, so that full time may be available for the discussion of the proposals in Scotland?

MR. GOSCHEN: I am afraid that we cannot make disclosures to Scotland before we make disclosures to England and Ireland. I would suggest that any further inquiries on the subject should be addressed to the Lord Advocate. It is my business to provide the money, and it will be the business of the Scotch Office in the main to determine how it shall be applied.

SIR G. CAMPBELL: Is the statement of the right hon. Gentleman as to the 11 per cent. subject to inquiry as to the financial relations between the three Kingdoms?

MR. GOSCHEN: I will not say that that might not be the result either upwards or downwards, but for this year, at all events, it is likely that 11 per cent. will be the proportion.

CERTIFICATED TEACHERS.

MR. CROSS (Liverpool, West Derby): I beg to ask the Vice President of the Committee of Council on Education whether he can state when the Return relating to certificated teachers in public elementary schools, ordered on March 11th, will be ready for distribution?

SIR W. HART DYKE: The revised proofs were sent to the Home Office some days ago, and I understand that the Return is now with the printers for completion by an early date.

MR. NELSON AND THE LURGAN MAGISTRATES.

MR. MACARTNEY (Antrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the action of the Chairman of the Lurgan Bench of Magistrates in refusing to give costs for attendance as witness for the prosecution, to Mr. Nelson, pawnbroker, of Lisburn, in recent cases; whether he is aware that in these cases Mr. Nelson had given information to the police, upon which the persons charged were arrested and convicted, and that he has been publicly complimented in Lisburn Court for the assistance rendered to the police on other occasions; whether it is customary to grant costs for the expenses applied for on behalf of Mr. Nelson; and whether the Constabulary authorities have any ground for imputing to Mr. Nelson the conduct ascribed to him by the Chairman of the Lurgan Bench in refusing to give the costs applied for?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The facts, I am informed, are as stated in the first three paragraphs of the question. The Constabulary do not impute to Mr. Nelson any attempted evasion of the law. On the contrary, he has always shown a marked inclination to render every assistance in his power in the detection of offenders.

RESULT FEES IN IRELAND.

MR. MACARTNEY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what was the amount of the result fees paid to schools in Ireland for industrial work under the alternative scheme for girls of the sixth class, for the year commencing on or after 1st August, 1889, distinguishing between the amount paid to convent and monastery national schools and that paid to other national schools?

MR. A. J. BALFOUR: The Commissioners of National Education report that the information sought in this question could not be supplied without an exhaustive examination of all the Inspectors' Reports of their results inspections for the year mentioned, which would involve considerable labour. The Commissioners add that for the period in question the adoption of the alternative scheme for girls of the sixth class was entirely optional with managers of schools, and comparatively few schools were prepared to at once adopt it.

THE BELFAST MAILS.

MR. SEXTON (Belfast, W.): I beg to ask the Postmaster General what is the amount of the annual contract for carrying the mails from Belfast by steamer to Greenock and Glasgow; at what date was the present contract entered into; what was the date of the first contract, and the amount then paid for the service; and if he can state when the present contract expires, and also the number of years during which the mails were carried by this route without any payment?

*MR. RAIKES: The annual payment for the Mail Packet Service between Greenock and Belfast, and Ardrossan and Belfast is £10,000 a year. The contract is dated 1st August, 1883, and is to continue in force until 12 months' notice to terminate it has been given on either side. The former contract was dated 16th July, 1849, and remained in force until the 1st August, 1883. No payment was made under that contract, so that the period during which the mails were conveyed free of charge was 34 years.

PORK-PACKING IN LIMERICK.

MR. M'CARTAN (Down, S.): I beg to ask the Attorney General for Ireland whether his attention has been called to a Report by the United States' Consul Reid, of Dublin, published in the *Grocer*, of the 11th April, in which it is stated that—

"One of the chief pork-packing concerns in Limerick buys great quantities of American hams in the cured state, smokes them, and impresses its own brand upon them,"

and sells them at a price a trifle below what it asks for its own goods; whether impressing an Irish brand on American hams is an infringement of the Merchandise Marks Act; and if, in the interest of the Irish trade, he will cause inquiry to be made as to whether any such practice, as alleged, is carried on?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The Government have no information whatever that confirms the statement referred to in the question.

MR. M'CARTAN: I will repeat the question on Thursday.

MR. T. M. HEALY (Longford, N.): Has the American Consul been asked upon what grounds he made the statement?

MR. MADDEN: No, Sir; I think it would hardly be within my province to put a question of that kind.

LAND PURCHASE ACTS.

SIR G. CAMPBELL: I beg to ask the Attorney General for Ireland whether the sale of a holding for non-payment of instalments, under the Land Purchase Acts, gives the new purchaser a clear Parliamentary title, free of all other claims and liabilities; and whether the arrears of the instalments are a first charge on the money raised by the sale?

MR. MADDEN: In the case of the sale of a holding for non-payment of instalments, the transfer of the holding is effected by means of conveyance by the Irish Land Commission to the purchaser, the holding being conveyed freed from any liabilities, except any liabilities incident to the tenure, such as head rent, subject to which the holding may have been originally purchased, and subject, of course, to the payment of the future instalments of the annuity if (as is usual) the holding is sold subject thereto under the provisions of the 15th section of the Act of 1885. The title cannot be accurately described as a Parliamentary title; but if the Local Registration of Title Bill, which has been read a second time by the House, should become law, the title of the purchaser, as well as of the original tenant, will be in all cases absolute and indefeasible. The arrears of the instalments, as provided by Subsection 3 of Section 30 of the Act of 1881, are applied first in discharge of the arrears due to the Commissioners unless the holding was subject to a head rent or other outgoing in priority to the advance.

IRISH CHRISTIAN BROTHERS.

MR. FLYNN (Cork, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Government is still determined to refuse the claims of the Irish Christian Brothers to some participation in the public funds provided for primary education in Ireland; whether he is aware that this Order of teachers possess over 70 establishments in Ireland, and educate 40,000 children of the working classes, and that the Royal Commissions of 1854 and 1868 reported most favourably of their system of education and its results; whether his attention has been drawn to the fact that the Brothers do not object to the inspection and examination of their schools, nor do they object to submit the schools and the results of the teaching to open and public competition; and whether, in view of the immense services rendered to the cause of primary and intermediate education by the Brothers, he is prepared to make some recommendation on their behalf to the proper authorities?

MR. A. J. BALFOUR: The case of the Irish Order of Christian Brothers was fully dealt with in my reply to a question similar to the present one asked on 19th May, 1890, which is reported in *Hansard*, and to which I beg to refer the hon. Member. As I then stated, various Orders of Monks, including the French Order of Christian Brothers, find no difficulty in taking advantage of the public grants and putting themselves under the general regulations of the National Education Board, and I, therefore, do not see that it is necessary to make a special modification of the rules in favour of one Monastic Order.

THE POTATO DISEASE.

MR. FLYNN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to an article in the *Times* of 6th April, entitled "A Remedy for Potato Disease," and referring to the employment of sulphate of copper as a preventive of the disease; and whether he will consider the advisability of communi-

cating with the Local Government Board in Ireland with a view to some steps being taken to test the value of the suggested preventive of this destructive disease?

MR. A. J. BALFOUR: The subject of potato disease has, of course, come under the notice of the Agricultural Department of the Irish Land Commission, as well as of the Royal Dublin Society. Experiments of a practical character in connection with this subject are being undertaken.

DOWNPATRICK GAOL.

MR. M'CARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Gaol at Downpatrick, County Down, has been discontinued as a convict prison; and whether the Prison Board intend to make any, and, if so, what, further use of it?

MR. A. J. BALFOUR: The General Prisons Board report that the gaol at Downpatrick has been discontinued as a convict prison, but that the question of the future disposal of the building has not yet been decided.

PLEURO-PNEUMONIA.

MR. TUITE (Westmeath, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland can he state the reason assigned by the Privy Council for refusing to permit the removal of cattle in those districts of the Mullingar and Delvin Unions which have been declared free from pleuro-pneumonia for the period prescribed by the Order in Council?

MR. A. J. BALFOUR: There are no restrictions on the removal of cattle in the Delvin Union. As regards Mullingar Union, the Parish of Killucan has, in consequence of outbreaks of pleuro-pneumonia there, been declared under Order in Council a scheduled dis- since February 14 last. This dis- is under observation, and the Scheduling Order will be revoked as soon as it is deemed that it can be done with safety.

LAND COMMISSION—WEXFORD.

MR. J. BARRY (Wexford, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can now state when the Chief Land Commission will hold a sitting to hear the fair rent appeals from County Wexford; and if they will sit in the town of Wexford, in order to save the tenants the inconvenience and expense of bringing their witnesses to Dublin?

MR. A. J. BALFOUR: I have not yet been able to obtain the information, and, therefore, I must ask the hon. Gentleman to put down the question for another day.

FACTORIES AND WORKSHOPS BILL.
(No. 205.)

Reported from the Standing Committee on Trade, &c.

Report to lie upon the Table, and to be printed. (No. 221.)

Minutes of Proceedings to be printed. (No. 221.)

Bill, as amended by the Standing Committee, to be taken into Consideration upon Monday, 25th May, and to be printed. (Bill 315.)

IRISH SOCIETY AND LONDON COMPANIES (IRISH ESTATES).

Report from the Select Committee, with Minutes of Proceedings and an Appendix, brought up, and read;

Report to lie upon the Table, and to be printed. (No. 222.)

Minutes of Proceedings, with an Appendix, to be printed. (No. 222.)

MESSAGE FROM THE LORDS.

That they have agreed to,—Charities' Recovery Bill, with Amendments.

ORDERS OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 5.

Amendment proposed, in page 5, to leave out Sub-section 1. — (*Mr. J. Morley.*)

Question again proposed, "That the word 'Where' stand part of the Clause."

(4.12.) MR. SEXTON (Belfast, W.): I must remind the Committee that,

practically, land purchase has been in operation in Ireland for the last 22 years, and during the last five years it has been followed on a large scale upon principles which in their main features are the same as those of this Bill. I should have expected, therefore, that the right hon. Gentleman, in suggesting this provision, would have based it upon the results of experience, and that he would have felt it necessary to convince the Committee that the results of the system, as it is actually administered, have proved the necessity of this additional advance in the nature of insurance money. No suggestion of the kind has come from the right hon. Gentleman. But I can understand his silence, because if the Reports of the Land Commission are referred to it will be seen that the arrears which have actually accrued are so trifling—not amounting to more than 2d. in the £1 upon the annuity—that the mention of them is an argument against this sub-section rather than in favour of it; and this provision, so far from being justified by the test of experience, is proved by experience to be unnecessary. Sir Charles Gavan Duffy, in the Colony of Victoria, had to frame and administer a Land Purchase Act. He tells us that the purchasers were 100,000 in number, and that the land taken up was equal in extent to the whole arable land in Ireland. The purchasers included many Irish evicted tenants, and Sir Charles Duffy testifies to the fact that ever since the initiation of the system the annuities have been fully paid up, and with remarkable punctuality. I mention this fact to show that the principle of ownership and the growth of interest with men who have been converted from tenants into landed proprietors operate so powerfully where the terms of purchase have been fair that really no default is to be apprehended. I ask the right hon. Gentleman, then, to consider this case, which is altogether analogous—— [*Cries of* "Oh!"] I am astonished that the Representatives of the Irish landlords whom I see opposite should be excited on the subject. I maintain that if these powers are retained you will destroy the Act. In the Bill of last year you were so careful of what you call "free contract" that you would not permit the Land Commissioners to fix the price of a holding unless both landlord and tenant agreed to refer that question to them. But in this Bill you play so fast and loose with the principle that even when the landlord and tenant are agreed, and the contract has been ratified by the Land Commissioners, you propose to allow the Lord Lieutenant, who may be —as was the case last year—an Irish landlord, to alter the terms of purchase —in fact, to turn the bargain upside down, and alter it without regard to the views of either the landlord or tenant. Such a proposal is both grotesque and indefensible. Such powers are given to the Lord Lieutenant under Sub-section 3, with reference to the holdings dealt with in Sub-section 1, as will, if passed into law, defeat the object of the Bill. It would be in the power of the Lord Lieutenant, if he asserts his right, to levy a fine upon any contract by extending the period during which the higher annuity is to be paid. You may say that he would not do so; but, on the other hand, he might, for a Lord Lieutenant can do pretty nearly anything he likes. I daresay that hon. Members opposite are not anxious to sell their own estates; but they represent the interests of those who are anxious to sell, and I hope they will join with us in insisting that this power be excluded from the Bill. I am encouraged by the very nature of the case to believe that the Government will consent to strike out this extraordinary provision. The mere existence of such a power would create enough misapprehension in the minds of the tenants to greatly restrict the sales. Even the scheme for insurance for a period of five years will unquestionably be attended by the most deleterious effects. In the first place, it will encourage purchases. There are in Ireland some 20,000 farmers who have bought under the Ashbourne Act, and these men enjoy reductions of from 36 to 45 per cent. on their old rents. If the tenants under this Bill are asked to accept a position in painful contrast to that of the purchasers under the Ashbourne Act, the tendency to purchase will be minimised. What will be the reduction under this Bill? The right hon. Gentleman puts it at 14 per cent.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I was wrong in that.

MR. SEXTON: How was the right hon. Gentleman wrong?

MR. A. J. BALFOUR: I will explain when the hon. Gentleman has concluded his speech.

MR. SEXTON: It would, perhaps, be better to give the explanation now.

MR. A. J. BALFOUR: Then what is really done is this: The Land Commission will find out what is the nature of the value of a holding in relation to the rent. The rates will be about 7 per cent. of the total rent, and deducting them from, say £107, the net annual value would be £100, and the tenant would pay £80. The Land Commissioners will find out the value and reduce it.

MR. SEXTON: If the tenant is able to secure a reduction of 10 per cent. that is enough for me. But when you take into consideration the fact that the tenant will be put to the expense of travelling to and fro in connection with the purchase, that he will further have to pay the cost of the transaction and of legal advice, and that he will also have to provide for drainage and other charges, my belief is that if you insist upon this insurance clause the relief to the tenants for the first five years will be nothing, or next to nothing. I am quite convinced that the effect of the insurance clause will be greatly to discourage purchase. My right hon. Friend the Member for Newcastle (Mr. Morley) has urged that the effect of this provision will be to increase the price artificially; but the Chief Secretary says "No, because if you discourage purchase you cannot increase the price." For my own part, I think that both things may happen. If you purchase an annuity to represent the true annual payment in respect of the purchase money, everyone in Ireland will know what has been the actual rent purchased. But what will be the effect of this insurance? All the transactions all over Ireland for the next five years will be as if farms had been bought at 20 years' purchase, while the Land Commission have refused to sanction many transactions at 14 and 15 years' purchase, because they think the holding is not sufficient security for the advance. It would be difficult, under such circumstances, to discover what had been the actual value of the land as tested by the number of years' purchase given. The effect of this provision is to obscure facts, and by obscuring facts to obscure judgment. Further, it will artificially raise the price of land by making it appear that the transactions have taken place on the basis of 20 years' purchase. Moreover, the provision will create a difficulty at a most critical period. The Chief Secretary urged the other night that it would be a provision for a bad year. Undoubtedly that would be so if we could satisfy ourselves that the bad year would not occur until the five years were over. But suppose that it occurs, as is most likely, within the first five years, when the struggling owner is in special difficulties, and his credit has not yet been established, what is likely to happen? My contention is that the first five years is the most critical period, and if the tenant goes through those five years he will most likely go through all the rest. The insurance provision, instead of aiding the solvency of the tenant, in my opinion strikes a blow at that solvency. I think the scheme is a thoroughly bad one, and I am satisfied that it never proceeded from the right hon. Gentleman. Whatever else the right hon. Gentleman may be he is certainly too adroit to have drafted a scheme of this kind—one of the most clumsy that ever disfigured a Bill. Nor is it comprehensive or even in its operation. In some cases it is adequate, while in others it is absolutely oppressive. In the case of a tenancy at an annual value of £5 at 19 years' purchase, the advance would be £95, the annuity £3 16s., and the insurance 4s. a year, which, in five years, would amount to £1, in respect of annuity of £3 16s. At 10 years' purchase, which might be given for moor and mountain bog, reclaimed by the tenant, the advance would be £50, the annuity £2, or £10 in five years, so that by that time provision would have been made for five bad years. That statement is, I think, sufficient to condemn the scheme. But I lay down the principle that if this insurance is required at all, it ought to be comprehensive in every case in which it is applied, and so far as it is applied the inci-

dence of the charge ought to be equal. This, however, is not a system of insurance but rather a system of fine. On the one hand, there may be cases in which the provision is most inadequate, and, on the other, there will be cases in which the impost will become most oppressive. I would suggest that a line should be drawn at £25. Below that annual value the tenants of Ireland have a very hard struggle to live, and the true principle would be to give tenants under that line the full benefit of their bargains under the Act, while you impose upon tenants above that line, and who will probably have some surplus, this principle of insurance, if you will. Then, again, instead of making the insurance increase as the rent goes down, I would suggest that there should be one uniform rate of 5 or 10 per cent. charged all round upon the normal annuity. At the end of five years such a provision would give you a sum equal to one half-yearly payment. I would not, however, make this an arbitrary rule, because there may be young tenants who would be willing and desirous of increasing the insurance rate in order to accelerate the period when they would enjoy the complete ownership of their farms. The right hon. Gentleman says that he proposes to make provision for a bad year. I think he is labouring under a fallacy. He seems to think that he can use the money of the Irish tenants better than they can use it themselves, and he believes that if they get the full value of the reductions they will not save the money. I think that experience and history teach the contrary. In America and elsewhere no other race has exhibited such brilliant examples of economy and thrift. I maintain that if you allow the Irish peasants the full advantage of the credit of the State—if you give them the full benefit of the reductions to which they are entitled, they will make use of the difference in the development of their homes. These are my arguments against this provision. I think that it should be struck out altogether; but if you retain it, then in the congested districts the tenants should be given a chance of paying their annuities, but they and all tenants who pay under £25 a year should not be obliged to pay to an insurance fund. Furthermore, instead of imposing the insurance on the first five years in succession, which will be the hardest years of the tenants' struggle, let it be imposed on alternate years, so that he may have some remission and ease between. I also wish to ask the right hon. Gentleman whether the State advance may now be more than 20 times the annual value?

(4.40.) MR. A. J. BALFOUR: I may say, in answer to the hon. Gentleman, that in the Bill of last year the State advance was limited to 20 years' purchase, and it is in view of that Bill that the present one has been brought in in the shape to which the hon. Gentleman has called attention.

MR. SEXTON: May I ask whether this Bill fixes any number of years' purchase?

MR. A. J. BALFOUR: No; it only says it may be any number of years' purchase for which the Land Commissioners think the security adequate. The 20 years' limit in last year's Bill is not contained in this Bill, and therefore the Return must be corrected in this respect; the advance may now be made to any number of years' purchase for which the Land Purchase Commissioners think that the security is adequate. The hon. Gentleman's objection to the scheme is based upon his experience, and he has told us that from his experience of the Ashbourne Acts of 1885 and 1888 he does not anticipate any large number of arrears. That, I think, is true, but it must be remembered, in the first place, this is a very much larger scheme than any which has been adopted before, and therefore requires special safeguards which perhaps have not been necessary in dealing with smaller amounts. We are contemplating the operation of the scheme extending to districts where there has practically been no such thing as purchase up to the present time, as for instance, in the West of Ireland and the poorer districts. We cannot ignore the fact that tenants who purchase in those districts may find themselves, possibly from no fault of their own, in very embarrassed circumstances in a bad year, and then an Insurance Fund will be necessary. With regard to the experience of Sir C. Gavan Duffy in Australia, which the hon. Member re-

ferred to, I have not had an opportunity of looking into that question, but I conjecture that there the transactions have been with regard to virgin soil, bought at perhaps less than £1 an acre, where the whole value was contributed by the industry of the tenant, working on this virgin soil. In the case of Ireland the tenants, or their predecessors in title, have expended a good deal of money in bringing the land to its present state of cultivation, so that we cannot expect a large increase in the value of the asset, and therefore any financial operation based on the value of the holding without any security behind it in the shape of a Guarantee Fund must necessarily be of a much less solid kind than would be the case where the sale is one of fertile virgin soil at a very small rate of interest.

MR. SEXTON: Will the right hon. Gentleman permit me to draw his attention to Sir Gavan Duffy's words, which were to the effect that the fact of allowing the annual rent to count as part of the purchase money constituted a powerful inducement to the purchaser to make regular annual payments.

MR. A. J. BALFOUR: I was not referring to that particular argument; I am far from desirous of undervaluing the effect which the feeling of proprietorship may have on the purchasers, but we may, I would point out, anticipate less of that feeling in Ireland because legislation in the past has been such as to give security of tenure. The hon. Gentleman opposite attacked the provision in Sub-section 3. I think there are very strong reasons in favour of that provision which I will give when the sub-section is reached. I am aware my hon. Friend the Member for South Tyrone does not concur as to the wisdom of the provision. The principal argument advanced against the sub-section is that under Lord Ashbourne's Act a purchasing tenant gets off 30 or 40 per cent, of his rent, while under the provisions of this Bill he will only get off 20 per cent., the difference of 20 per cent. representing a further obligation thrown upon the purchaser. The Committee, however, must see that this obligation is not of the same character as the obligation to pay the annuity. The latter is an absolute obligation, independent of all good or bad fortune; but the obligation to pay this additional 20 per cent., which represents the tenant's insurance fund, is an obligation capable of modification if the tenant suffers from undeserved misfortune. If any scheme of land purchase is to work smoothly, and is not to be accompained by extremely hard cases, some provision, not materially different from this one, is necessary. I now come to the criticisms passed by the hon. Gentleman on his scheme of insurance. The hon. Gentleman pointed out objections to which, he said, his own scheme was not open. The hon. Gentleman proposes that there shall be an *ad valorem* insurance of 10 per cent. on the annuity. In the case of tenants who buy at less than 20 years' purchase, that will have the extraordinary effect of making the duty greater than the rent they pay their landlords. Again, in the case of a tenant giving 25 years' purchase to the annuity, which is equal to his former gross rent, the hon. Gentleman desires to add another 10 per cent. It seems to me that while the scheme in the Bill is open to criticism, the hon. Gentleman's plan would operate far more harshly and far more unjustly. I will go further, and say that an *ad valorem* fund is not the proper mode of insurance. Companies who insure against fire have different rates, according to the character of the buildings insured, and life insurances differ in the same way, and so it is clear that the insurance on these holdings ought to be increased exactly in proportion to their liability to difficulties and misfortunes. The plan adopted in the Bill, being automatic, will of course not be justified in every instance, but, broadly speaking, I believe it will be thoroughly justified. The tenant in the West of Ireland is, owing to climatic conditions and the poverty of the soil, peculiarly liable to misfortunes, and surely it follows that the insurance fund should be larger in that case than in the case of a man whose holding is worth 15, 17, or 20 years' purchase. It appears to me that the holdings the hon. Member would exclude from the operation of the fund are precisely those which ought specially to be included. It is exactly in the cases in which the tenants have a hard

struggle, in which a year of potato failure, of drought, or excessive wet produces a catastrophe in their affairs, that I wish to have the insurance fund large in order to prevent the unpleasant and odious necessity of turning them out of their holdings. Nothing that the hon. Member has said, or that the right hon. Member for Newcastle said on Friday night, leads me to doubt the wisdom of the provision in the Bill or to suggest that it should be modified.

*(5.3.) MR. SHAW LEFEVRE (Bradford, Central): I admit there is great force in some of the arguments of the right hon. Gentleman; but, on the other hand, from the point of view of the tenants, I contend that the particular provision under discussion will tend to raise the price of holdings in Ireland and put into the hands of the landlords a potent weapon which they may use in negotiations for purchase to induce the tenants to give a larger number of years' purchase than they would otherwise do. Before, however, I deal with this point, let me say with reference to the principle of tenant insurance that the Chief Secretary has hardly estimated the inequalities of the plan he proposes as between the smaller and the larger tenants. In the case of a tenant at 18 years' purchase, I calculate that such a tenant would in the course of the five years have paid a sum equal to a half-year's instalment of the amount due to the Exchequer. If he gives 16 years' purchase at the end of five years he will have found an additional one year's instalment; if 14 years' purchase two years' instalments; and if 12 years' purchase, four years' instalments, and if at 10 years' purchase five years' instalments. I venture to ask the Chief Secretary whether it is at all necessary to require such a large proportion as that in the case of holdings bought at a low rate of purchase. I would suggest to the Government, if they carry the principle of this clause, that they should, at all events, limit the deposit of the tenant to one year's or half a year's instalments. That would be much fairer to the class of small tenants. The right hon. Gentleman the Chief Secretary twitted us with inconsistency in opposing this proposal, when we have so often used as an argument against the Bill that it created glaring inequalities between the purchases under it and those who are unable to purchase. For my own part, I have often used that argument. I believe it will be totally impossible in the future to maintain two classes of occupiers in Ireland, one paying rent for ever, and the other paying 30, 40, or 50 per cent. less than their previous rent in the shape of their instalments. The right hon. Gentleman has endeavoured to get rid, to some extent, of the glaring inequality by raising the instalments in the first five years. But will this provision really affect the financial position of the two classes? I cannot help thinking that the right hon. Gentleman rather deceives himself on that point; at all events, after five years the full effect of the reduction will come into force, and the inequality will then be apparent to everyone. The real objection to the right hon. Gentleman's proposal is, that it will enable the landlord to use a very potent argument with the tenant who is negotiating with him for the purpose of raising the price of the land. Let us suppose the landlord is prepared to accept 20 years' purchase, and the tenant is only willing to give 15 years' purchase. The landlord would argue that at the lower rate of purchase the tenant would have to pay an increased instalment for five years, and that even after five years the Lord Lieutenant would have power to continue the increase. [MR. A. J. BALFOUR: No.] That is what the clause provides.

MR. A. J. BALFOUR: I will not argue with the right hon. Gentleman whether the drafting of the clause exactly carries out our intentions, but our intentions are that there shall be no interference with the bargains entered into, although there may be with future sales.

*MR. SHAW LEFEVRE: Well, that is certainly not the apparent meaning of the sub-section. At all events, it will be possible, I understand, for the Lord Lieutenant in the case of future purchases to extend the increased instalments. The landlord will be able to say to the tenant, "If you can pay 80 per cent. for five years, why not continue to do so for a little time longer, so as to

give me a somewhat higher rate of purchase." Only yesterday I saw a landlord from County Cork, who told me that in his opinion this particular clause would have the effect of minimising purchase. My opinion is, therefore, that viewing this proposal from the tenant's point of view, it is an extremely unwise one. I hope, therefore, the right hon. Gentleman will at all events consent to make the clause less objectionable than it is at present.

(5.16.) MR. T. W. RUSSELL (Tyrone, S.): This is a clause to which I attach the greatest importance. I venture to think that there is no clause about which so much has been said throughout the length and breadth of Ireland as Clause 5. I shall join heartily with the hon. Member below the Gangway in asking the Government to withdraw Subsection 3, if we are right in our contention with regard to its effect. I do not think there is any analogy between the cases of Ireland and Victoria, because in Victoria there are no regularly recurring periods of distress.

MR. SEXTON: There are seasons of drought in Victoria, and I may say that Sir Charles Duffy, who knows both countries well, thinks the analogy perfect.

MR. T. W. RUSSELL: I must be allowed to differ from him. It is important to see what this clause actually does, and I may say that a stranger who heard the Debate and had not read the Bill would conclude that the insurance money was taken away from the tenant altogether, whereas the clause does not take the money from the tenant.

MR. SEXTON: I never suggested it.

MR. T. W. RUSSELL: No; it was not suggested. It was what the hon. Member suppressed that I object to. The clause does not take the money from the tenant. In many Building Societies there are fining down annuities, and a borrower pays higher amounts at first and lesser instalments afterwards. ["No, no."] It is so in societies of which I have knowledge. [An hon. MEMBER: They are rotten.] Anyhow, I do not see how this provision can be opposed by those who pose as the protectors of the British taxpayer. I cannot understand the hon. Member for Sunderland (Mr. Storey) standing up one day and declaring that not one sixpence of the taxpayer's money ought to go for this purpose, and then when it is proposed to guarantee the taxpayer by means of actual cash in hand to oppose the proposal.

MR. STOREY (Sunderland): I have not opposed that, and until my hon. Friend hears me oppose it he had better not make the assumption.

MR. T. W. RUSSELL: Well, I shall be curious to see the Division List. As I understand this clause it means that, in view of the exceptional periods that occur regularly in Ireland, some step should be taken in the Bill to provide against them. I say that is a proper and fair principle on which to act. A man whose rent is at the rate of £100 a year will be entitled under the Bill to pay, say, £68, but will have to pay £80 for the first five years, the difference going to form the Insurance Fund. The money will not be lost to him. Although I have heard a good character given to the Irish people for thrift—a character which I am not going to challenge—I say that a compulsory form of insurance is not a bad thing in itself. The money will be practically banked. I want to make one suggestion on this point to the right hon. Gentleman the Chief Secretary. He is going to pay interest to the landlord on his guarantee deposit at the rate of 3 per cent. I want to know why he will make any difference with the tenant's guarantee deposit? I do not think the proposal to make an Insurance Fund is an unfair proposal. The State is doing something for the tenant, and the landlord is sacrificing something. ["Oh, oh!"] Hon. Gentlemen who say "Oh" have not studied the Bill perhaps as much as I have. I contend that as the State and the landlord are both making sacrifices, it is not too much to ask the tenant to do this little thing—to allow a certain reserve of money to be made as an Insurance Fund for a period of distress. Although I admit that the tenants do not like the proposal, they do not want to sacrifice the Bill, and they will take the Bill with it. I am prepared to vote for it, although 9 out of 10 farmers are against it.

MR. SEXTON: Does the hon. Member think it fair to take five years' insurance in the case of a small tenant?

MR. T. W. RUSSELL: No; I said I was prepared to support some of the proposals of the hon. Member for West Belfast (Mr. Sexton). It is on the principle of the proposal that I have been speaking, and not on its details. For the reasons I have given I will support the clause; but I hope the Chief Secretary will consider the objections that have been urged against some of its details, and will delete Sub-section 3, if it bears the interpretation that has been put upon it. I hope the right hon. Gentleman will consider the point whether it would not be wiser to amend the clause in the direction suggested by the hon. Member for West Belfast.

(5.26.) COLONEL NOLAN (Galway, N.): I think that this clause stands on a different footing from the preceding one, and is, I fancy, conceived in a spirit directly opposite to that which permeates the rest of the Bill. The other night I attempted to point out, although my remarks did not receive much attention, that the small tenants would have but little advantage as compared with the larger tenants. The Bill takes care the large tenant shall not be injured, but the smaller tenants are placed in a very different position. I agree with the hon. Member for South Antrim that we ought not to differentiate between the two classes of tenant. Even the hon. Member for South Tyrone, who has great knowledge of Ireland, says that nine-tenths of the tenants are opposed to this particular provision, and I am not surprised that they do not like it. If I may take the liberty I will make this illustration. If the right hon. Gentleman the Chief Secretary set up in business as a shopkeeper in Ireland in a country town, and charged the smaller farmers a higher price than the large ones in order to have a margin against bad debts, I think he would find the small farmers very strongly objected to deal with him. Yet that is the principle of this clause. I am afraid that this Bill will have a tendency to throw the £30,000,000 into the hands of the large tenants, and that the small tenants will be prevented purchasing under it. That, I think, would be greatly to be deplored. The Chief Secretary made a tour in the West of Ireland the other day. Yet I venture to say he does not know much about the country. I tell him the effect of this clause will be to prevent the small tenants buying, and I therefore strongly object to it. This is really Irish money, and not Imperial money. The whole of the money forming the guarantee, in the first instance, is from Irish funds; these form the security, and, practically, it is almost impossible that there can be any call upon the Exchequer, and yet, in spite of the protest of a large number of Irish Members—certainly the majority—the Government insist upon inflicting this fine for the first five years upon the smaller Irish tenants. Practically, the Government will be putting the Lord Lieutenant in the position of the biggest landlord in Ireland. We had a short time ago a Lord Lieutenant who was an Irish landlord, and there were continual deputations to him to induce him to reduce his rents. Those deputations ceased when he ceased to be Lord Lieutenant. But now you have the tenants continually coming to the Lord Lieutenant worrying him so to arrange the terms of repayment that their annual instalments may be reduced.

MR. A. J. BALFOUR expressed dissent.

COLONEL NOLAN: In bad years he will have the power to reduce the payments, and the tenants will look up to him as to a landlord to obtain reductions.

MR. A. J. BALFOUR: It is a pity that discussion is not confined to the sub-section before us. The Lord Lieutenant will have no such power as the hon. and gallant Gentleman attributes to him, and it is not possible that the tenants will come to him to exercise such power.

COLONEL NOLAN: Well, I will defer that to a later clause, upon which there will be much to be said about the Lord Lieutenant. Anyhow, you are so treating these small tenants that in a bad year you will have to make some special arrangement by the House of Commons to meet their case. You may have to defer one instalment and distribute it over the period of future payments. You have the whole of the smaller tenants opposed to this provision,

and certainly the effect will be to convey the greater part of the £30,000,000 into the hands of the large farmers.

(5.40.) MR. J. CHAMBERLAIN (Birmingham, W.): I think the progress of the Debate affords a most extraordinary illustration of the condition to which Parliament has been brought by successive efforts in land legislation. Anyone coming into the House a stranger to the Bill, and who did not keep in view the main object and purpose of the Bill, would imagine that Parliament was once more engaged in inflicting an injustice in addition to the endless series of grievances which has been inflicted by British misgovernment on the Irish people. The hon. and gallant Gentleman who has just sat down practically asked, in a tone of mild indignation, what apology the British Government are going to make to the small Irish tenants for the iniquitous coercion of the Bill. Well, but what is it that an English Government propose to do that is so injurious to the Irish tenants? If the history of land legislation is referred to, in Ireland and in all other countries where attempts have been made to convert tenants into proprietors, what is found? The late Mr. John Bright, who may be looked upon as the author and originator of this legislation in Ireland, suggested that it was immensely desirable that the tenant should be made a proprietor; and that the tenant would think so, and be willing to pay for it. Therefore, Mr. Bright in his original proposals asked the tenant who wished to purchase to pay more than his rent. But what is the position of the injured tenants now? The Government asks 20 per cent. less than the rent, and this is the main grievance which the Government are creating by the Bill. As the hon. Member for South Tyrone has pointed out, the Government are not going to take from the tenants one single farthing; the tenants are only asked to increase their earlier payments in order that the number of payments may be fewer, and that they may become proprietors at an earlier period. It is said that these tenants are placed at a disadvantage with regard to the larger tenants. What would have been said, then, if the Government had said, "Where the reduction of rent is larger, we shall expect that the term of repayment shall be short?" That would have been quite a fair stipulation, especially when it is remembered that when the reduction of rent is greater it is because the number of years' purchase is smaller and the nature of the security is worse. In dealing with property in the congested districts, it is undoubtedly probable that the number of years' purchase will be less, because the character of the security is not so good. In these cases the Government, who lend the money and confer such great advantages, have a right to ask that their security should be increased, and that the term for which the money is lent should be shortened. The tenants so treated are at no disadvantage with other tenants, because they will get not only the 20 per cent. reduction of other tenants, but will pay their rent for a much shorter number of years. I heartily approve of the proposal of the Government, though I might have wished it to be carried further, and I claim for it two distinct advantages. In the first place, it gives a security not only in the formation of an Insurance Fund, but in the fact that the tenants will have paid the larger part of the sum owing in the earlier years. This provides a great inducement to the payment of the remaining instalments in later years. It will be admitted that, after a certain portion of the advance has been paid off, there is no longer any risk to the Government. The Bill merely asks that where the security is worse the debt should be paid earlier; and in asking this no great sacrifice is inflicted on the tenant. What is the position of the tenant? If he has to pay the same annuity for 49 years, after the first great advantage he will have no longer anything to hope for in his lifetime, and will get no further reduction of rent; he will get tired, and will begin to desire something more. But under this system there is something to hope for; as he pays a higher rate at first, therefore he has to look forward to its reduction; while, at the same time, by the term being shortened, he may expect to see himself the proprietor of his land in his lifetime. The hon. Member for South Tyrone says that the Government, if they insist on this pay-

ment, should give interest. But surely the Government do give interest; surely in the actuarial calculation interest is taken into account. The period at which the payments will come to an end will be affected not only by the amounts paid, but also by the interest due upon them. A second advantage is that by this system a larger sum will be at the disposal of the Government for immediate use. Roughly speaking, they will have a sum of £30,000,000 to deal with, and will have no more until repayment begins; and then they will only have the amount of the repayments. If they can by any means increase the amount of repayment and bring it on at an earlier period, they will have more money for these transactions. Therefore, the Irish tenantry as a whole will be benefited by the earlier payment of a portion of the money. What are the disadvantages of the system? The right hon. Gentleman the Member for Bradford has told us that it is going to raise the price of land, and he has said that the Irish tenant will believe that he is going to pay the higher rate for ever. Does my right hon. Friend take the Irish tenant for a fool? I think that the Irish tenant may be relied upon to take care of himself, and not to listen to such an absurd and ridiculous argument as that. I would point out to the right hon. Gentleman that the price is already fixed; the question is only how that price is to be paid. The price cannot be affected by this proposal. Then we are told that purchase will be discouraged. The hon. Member for West Belfast has made the extraordinary statement that the Land Commissioners will not find sufficient security in the land. But that argument loses sight of the fact that the value is in the land, and not in the question of instalments. The Land Purchase Commissioners may advance on the land without regard to the number of instalments, except that they may think that the security is better when the whole sum will be paid off in 30 years instead of 50. We have been told that this system is unfair to the small tenant, who will have to pay five, two, or, in any case, one year's rent in insurance. But what we are doing is to say to every tenant who comes under this Act, "You shall have this advance if you will be good enough to pay one-fifth less than your present rent." Really, it seems an extraordinary proposal when stated, as I have had to state it more than once, at a public meeting. It seems an astounding proposition that we go to the tenant and say, "First, you shall have a fair rent fixed, and having fixed a fair rent, which, under present circumstances, it is right you should pay, we then go on to say, hat in hand as it were, If you pay one-fifth less than that fair rent we will make you proprietor of your land in 49 years." That is the legislation of a brutal Saxon Government. We offer the credit of the British nation, and do it not in favour of the small tenant alone, but of every one, big and small. The same advantage is offered all round—20 per cent. off the rent if he prefers to become his own landlord. If he prefers to remain a tenant, he can go on paying his rent; but if he prefers to become proprietor, he can do so by paying 80 per cent. of this rent for 30 years, or at a maximum of 49 years. I contend, therefore, that the system cannot be properly represented as being unfair to any class of tenants. I understand the hon. Member for West Belfast to propose that the congested districts should be excepted and all tenants whose holdings are under £25 valuation. These are the last persons who ought to be excepted, because from the very nature of the case they are the people who can give the least security, and there, if anywhere, is the greatest risk; and, in the second place, I am not sure that it is to the advantage either of the tenants themselves or of the nation to tempt the tenants in the congested districts to buy their holdings unless they can be amalgamated in such a way that the tenant can make a living out of his holding. Merely to stereotype the present condition of things by relieving the tenants by offering them the shilling or two they pay as rent and calling them landlords will be very little good. Therefore, I do not see why special and exceptional advantages should be offered to them more than to any other class of tenant. Then the hon. Gentleman made an alternative suggestion, that, in lieu of taking this Insurance Fund from that class of tenant who will be best able to pay it, it should be

taken from everybody in the shape of 10 per cent. on his rent. Take the case of 20 years' purchase. A man under the Bill will pay £80 for £100; if we allow 10 per cent. as insurance he would have to pay £88, and the benefit, therefore, offered to the majority of tenants to induce them to purchase would be 12 per cent., instead of 20 per cent.—an alteration which might go a long way to prevent the tenants from taking advantage of the Act. For all these reasons, I think that the proposal of the Government is a good one and ought to be supported.

*(5.56.) MR. KNOX (Cavan, W.): I think we all agree with one remark of the right hon. Gentleman, that the Irish tenant is not a fool. The hon. Member for South Tyrone has told the Committee that 9 out of 10 of the tenants are opposed to this provision, and putting these two statements together, that the Irish tenants are not fools and that they are opposed to this, the inference is that this provision is opposed to their interests, that it is an obstacle in the way of the Bill effecting its object. The feeling against this provision is, I may say, unanimous, and even the hon. and gallant Member for Galway, that faithful supporter of Her Majesty's Government, is opposed to it. He says he dares not face his constituents after supporting this proposal.

COLONEL NOLAN: I did not say that.

*MR. KNOX: That it will much embarrass his position when he meets his constituents. The hon. Member for South Tyrone says that 9 out of 10 tenants are against it, and, indeed, I think the puzzle will be to find the 10th. Perhaps he might be that rare being whose interest has been championed by the right hon. Gentleman the Member for West Birmingham, who is prepared to pay 25 years' purchase. The tenant who is prepared to buy at that—a tenant who, I am sure, many hon. Members opposite would like to meet—might be in favour of this provision, for it would do him no harm; he does not expect to get any reduction, is not affected by the provision, and might support it. But the great mass of tenants are opposed to it, and for good reason. If the Bill is fairly worked there is no necessity for it. The tenant's interest ought to be sufficient security for the money advanced. Let me call attention to the argument of the Chief Secretary on this point. In support of the contention we advance the hon. Gentleman the Member for West Belfast brought forward the case of the Australian settler, and showed how by the system of land purchase carried out in the colonies there was no loss to the State. The Chief Secretary, in reply, urged that the circumstances were entirely different in Australia. There, he said, the land was virgin soil, and the State looked to the value of the improvements the settler was about to make. But is that not an extraordinary argument, for are not the improvements made by the tenant in Ireland as important as those the settler is expected to make in Australia? We know that the Irish tenant has made these improvements. If the tenant buys at a fair price the value of these improvements does not go to the landlord, and there is that additional security that the tenant will pay back the money, and the State will not lose a farthing. Further, I say, the provision as an Insurance Fund is absolutely useless. Take the case of a large tenant whose rent is £100, and who buys at 19 years' purchase, as he might. What does he pay into the Insurance Fund? Twenty pound—not enough to pay a third of the year's instalment. Is that not absurd as an Insurance Fund? I say, further, it is an injustice. The right hon. Gentleman the Member for West Birmingham, who is, of course, indifferent to the smaller details of Irish legislation, assumed that this provision would still give 20 per cent. whatever the Irish tenant was. That is not so. In the first place, the 20 per cent. will be less by 7 per cent., which is the amount of the landlord's share of the rates. [*Cries of* "No!"] I understood the Chief Secretary had admitted that; but whether that is so or not, there are some facts which the right hon. Gentleman did not take into account. There have been considerable reductions on the rents fixed under the Act of 1887. Even the last Schedule issued under the Act of 1887 showed instances where rents had been reduced 14½ per cent. Tenants will buy on the old judicial rents,

not on the rents as reduced; and the tenants who received a reduction under the Act of 1887 will not receive any considerable reduction during the first five years under this Bill. The right hon. Gentleman assumes that it is not the object of this guarantee to extend the benefit of land purchase to the small tenants in the West of Ireland, but I venture to call against him the evidence of the Chief Secretary; he said to-night it was his intention to extend the blessings of land purchase to the small tenants. How does the Bill propose that these blessings shall be extended? The effect will plainly be, and everybody who has seen anything of the actual work of land purchase will agree, to prevent the sale to small tenants. In the case of these small tenants in the West of Ireland there is a considerable difference, of course, between the nominal rent and the real rent the landlord receives, there are bad debts and there is the larger cost of collection, but I don't believe that represents the whole case. I do not think the only reason why the tenants buy so much cheaper than in any other part of Ireland is because there are bad debts, and the landlords are therefore willing to sell to get rid of the property. Another reason is the remote relation the economical value of the land has to the rent. Sir James Caird has stated that the economical value is such that if the rent approximated to it, the rent of the holding would be nearly nothing. The rent is not a share of the product, it is the sum paid for a licence to live on the land. But the Land Commission very rightly refuse to take into account mere considerations of sentiment. They have refused to make advances unless there is security in the economic value of the land, and in the West of Ireland they have sometimes refused to advance more than seven years' purchase. In such a case, the tenant under this provision will be actually paying three times, or nearly three times, as much as he would have been paying under the Ashbourne Act. I ask whether, if the Land Commission were satisfied that not even eight years' purchase could have been advanced on this land, it is possible to conceive that they will advance the purchase money when as much will have to be paid during the first five years as would have had to be paid if the tenant had bought for 20 years' purchase under the Ashbourne Act? The effect of the provision will be that land purchase will be entirely stopped over the whole of the West of Ireland. It is a very serious thing if the Committee have determined to prevent the benefits of the Bill being extended to the small tenants of Ireland. Even under the Ashbourne Acts the small tenants have not got a fair share of the benefits, for the average purchase money has been £416 and the average rents of the tenants, fixed by the Land Commission, £16. If we multiply 16 by 17, which is the average number of years' purchase, we shall find that if the holdings, which have been sold to the tenants under the Ashbourne Acts, had been holdings of an average size, the purchase money would not have proved £416, as has actually been the case, but £272. We, therefore, find that even as it is under the Ashbourne Acts, the tenants who have bought have not been fair average tenants, but tenants holding larger holdings than the average. If this £30,000,000 is spent on holdings even of the same average size as those bought under the Ashbourne Acts, what will be the effect? Why, we shall find that not one tenant in eight will be able to buy until more than £30,000,000 has been advanced. The proper way to distribute the money equally is not to exclude any tenant by a cast-iron provision, but to facilitate sales to small tenants either by compulsion or by giving them exceptional facilities. I venture, therefore, to hope that if the Chief Secretary will not abandon this provision in its entirety—a provision condemned by almost all sections of Irishmen—that he will consent to modify it in some degree in the direction indicated by the hon. Gentleman the Member for West Belfast. It is a provision which will prevent land purchase being availed of in those cases where every benevolent man, whatever his views in politics, would most wish to see it availed of. The hon. Member for West Birmingham said he did not wish to extend land purchase to these small tenants in the West of Ireland; but I venture to think that there were few Members who agree

with him in politics who agreed with him in that statement. We who wish to benefit the poorer tenants in Ireland must offer strenuous opposition to a proposal which may do some good to the rich tenants, but which will work unmitigated evil to their poorer brethren.

(6.13.) THE CHAIRMAN: I think I ought to point out to the Committee that we are slipping into a novel and more than doubtful practice. In Committee the Amendments to a clause are first considered and subsequently the merits of the clause as a whole. On the last clause the hon. Member for West Belfast moved the omission of the first sub-section in order that he might state a general opinion as to the clause with a view to its probable alteration and more speedy discussion and settlement. It was obviously convenient that such a course should be adopted, and so long as the discussion is confined to the possible emendation of the clause, so as to make its passage more easy, it is convenient to allow such a discussion to be taken at the beginning. But from what we have heard of the discussion of the principle of the present clause that discussion has not been with the view of emendation to speed the passage of the clause, and, therefore to allow such a discussion to take place at the commencement and again at the close of the clause, would simply be to double the Debates in Committee.

(6.15.) MR. T. M. HEALY (Longford, N.): In considering your ruling, Sir, I am struck by one fact, namely, that much as the discussion may have proceeded on the clause, the right hon. Gentleman the Member for West Birmingham managed to give it considerably greater breadth, because he managed to insert or insinuate in the course of his remarks a general lecture on British bounty to Ireland which certainly did not seem quite relevant. However, as he did so, I would only take leave to remark that the astonishing fact is this that great as your bounty is we are not in the least grateful for it. The only Act of the present Parliament in which we value in the least your bounty, is that which will enable us to get your hands off our throat. I have been listening to some remarks from the Chief Secretary in defence of the 20 years' limit. He has stated, and he has been borne out by the right hon. Gentleman the Member for West Birmingham, that for some extraordinary reason the more hazardous the operation is by reason of the tenant giving an enormously increased price for his holding—the more ruinous is the bargain for the tenant—the less the State requires insurance. I confess, my intellect not being of the Birmingham pattern, I am wholly unable to follow that class of thought. I should have thought that the bigger the price the tenant gave the more risk there was that the tenant would not be able to pay his instalments. That, however, is not the view of the hon. Member for West Birmingham. The man who gives 20 years' purchase for his holding has to pay a small amount of insurance, but the man who gives, say, two years' purchase, has to pay an enormous sum. That is an argument which is supposed to show us the absolute superiority of the British Legislature, and to demonstrate our own inferiority and the absolute folly of cherishing the notion that we are capable of managing our own affairs. Under the Ashbourne Act the condition of the tenant was this: He owed his landlord two years arrears. He lived under a lease which he was supposed to have taken after the passing of the Act of 1870. He was compelled to buy by reason of the threat of eviction, owing two years' arrears, at 27 years' purchase. The consequence was that his annual instalments were more than the rack rent he had been paying. What did he get, you will ask, by purchasing? He got the wiping off of two years' arrears, the staving off of the Sheriff from his door, and yet that man would not have to give the British Government any insurance. But if he buys at seven years' purchase under this clause he will have to pay you an enormous amount for the Insurance Fund. I cannot undertand that class of reasoning. The suggestion of the Government is this: the Chief Secretary has persuaded himself that the larger the price the tenant gives, and the larger the number of years' purchase, the safer the State is. He has also persuaded

himself that it is the small tenants who will give the smaller number of years' purchase. I ask what is his data for that conclusion? What is it founded on? We have not been told. I conceive it will be the poor man who will give the larger number of years' purchase. And why? Because he is not able to make the bargain for himself. It is the man who has arrears hanging over him who gives the most money for his land; it is that man whose bargain is of a character that requires a strict insurance by the State. It is not likely that the man of means and with the money, who can wait for the market, is going to give 20 or 25 years' purchase for his land. No; it is the man who has the crow bar of the sheriff at his door who will do that, and yet he is just the man that the Chief Secretary and the Member for West Birmingham join in saying, shall make a contribution in the shape of an insurance to the State. If there is any class of men who will pay their annuities regularly it is the small tenants. The man likely to make a default is the man with 20 cows; the man likely to pay regularly is the man with one cow. The reason is in the nature of things. The man with 20 cows has more risk. His cattle may have the murrain; the price of butter may fall. The man with 20 cows on a pasture allotment, is a man subject to fluctuations; and yet, according to the Chief Secretary, that is the man who is certain to pay his instalments regularly. I say it is not so. The man who is certain to pay is the man living on a bit of cut-out bog—the man who has made his holding himself with the sweat of his body, and whose property is almost as precious to him as his soul. The Chief Secretary with his fine English intellect, and the Member for West Birmingham with his gunsmith's knowledge—["Oh, oh!"]—well, it makes one impatient to hear men who know nothing at all about the subject dogmatising on it. I say the contention of these right hon. Gentlemen is a gross, palpable absurdity, and not worthy of the House. Has the House forgotten that the Government only dreamt of putting in tenants' insurance when they left out landlords' guarantee? What has become of the landlords 5th which you retained in the Ashbourne Act? The landlords' 5th has had to go, and the tenants' 20th has to remain. It is a very remarkable thing that these two events should synchronise in the mind of the Government. Yet it is said that this Bill is intended in the interest of the tenants—that your British Government, which has alienated some millions of our race and starved some more, and which has allowed laws to continue which have made landlordism synonymous with horror all over the world, has now changed its spots and is legislating in the interest of the tenants. I will leave it to some of my colleagues from Ireland to believe in that view of the case and to greet the Saxon smile. For my own part, I take up my original position with regard to Tory government, and I do not believe in the Saxon smile. I should like to know upon what actuarial basis the Government calculated their tenants' insurance. Have they any figures to lay before us? I maintain that except under duress no tenant will give more than 20 years' purchase for his land. If there is fair play on the part of the Land Commissioners, the average number of years' purchase that would be given would be from 12 to 15 years. But the Government now appear to sanction the idea which is to go forth to the Land Commissioners that 20 years' purchase should be allowed. That is a landlord dodge in this clause. I banish from my mind the idea that this is done in the interest of the British taxpayer. I believe the fact is that the Chief Secretary has invented this 20 years' limit simply to incite the tenants to give 20 years' purchase for their land.

(6.30.) MR. LEA (Londonderry, S.): It seems to me a pity that the Committee should discuss whether the large or small tenants are most likely to take advantage of the Bill as it seems to me that this clause is equally detrimental to the one as to the other. To my mind, the restrictions in the clause will tend to prevent land purchase under the Bill being carried out to any great extent. I believe the Land Commissioners themselves would be against the restrictions. I am sorry the Chief Secretary did not tell us in what way the definition clause will operate in favour of the tenant. It

appears from the clause that 80 per cent. is to be paid to the Insurance Fund. We know that the tenant will, after purchase, have to pay his share of the poor rate, which with other charges will bring his annual instalment up to 100 per cent. of his present rent. Therefore the tenant will derive no immediate benefit under the Bill. I do not believe that the clause will stop land purchase; but I say it will tend very much to prevent it, as it will deprive the tenants who purchase of the capital needed to work their farms. It seems to me, in fact, that it would be better for the Government to allow this 10 or 20 per cent. to remain in the hands of the tenants in the form of capital rather than in those of the Treasury, who cannot make so good a use of it. I have an Amendment lower down, but as I have had an opportunity of saying a word now I shall not move it. I shall be glad if the Government will give the Committee an expression of their view of the opinion of the Irish farmer on these points.

(6.35.) MR. LABOUCHERE (Northampton): I am so often in the position of being under the painful necessity of opposing the Chief Secretary that it will be quite a pleasant change for me to once go into the Lobby with the right hon. Gentleman, but I feel bound to do so not for the reasons given by the right hon. Gentleman in support of the clause, but for those given by the hon. Members around me, who assert that this clause will destroy the Bill, and will prevent land purchase from being carried out in Ireland. For my part, I will do nothing to prevent the Bill from being destroyed—it is my dream to destroy the Bill, because I have no desire to see land purchase in Ireland carried into effect at the expense of the British taxpayer. I would not think of voting for the omission of a single word which is likely by any possible chance to destroy the Bill. The right hon. Gentleman the Member for Newcastle said that under this sub-section the number of purchasers would be reduced. Well, I hope the number of purchasers will be reduced. I am anxious that there should be as few purchasers as possible, and that there should be as little of this £30,000,000 expended as possible. The right hon. Gentleman the Member for West Birmingham scoffed at this, and said they would not be reduced, and that on the whole the same amount of money would have to be advanced. But Gentlemen from Ireland replied that the Irish tenants are not fools, and that men always prefer deferred payments to payments down. Of course tenants will promise to pay in 10 or 12 years rather than pay at once in the first five years, because there is the off chance of not being obliged to pay in the end. Therefore, I think that Gentlemen on this side of the House have brought forward such sound arguments against the sub-section that I shall have to vote in favour of it. There is some point once in a way in what the Chief Secretary says. The principle of this clause is a sound one, and one which should be adopted in the interest of that unfortunate man the British taxpayer. There should be as much insurance money paid up by the purchaser as possible. I voted against the Contingent Fund; I have voted against the Cash Fund because I considered that no Irishman—certainly that no Englishman—had a right to pledge the ratepayers of Ireland to incur an obligation without their consent being first obtained. But here we deal with persons who voluntarily go into these transactions. Those who purchase their land under this Bill will obtain an immediate remission of rent to the extent of something like 20 per cent., and after the expiration of five years they will have a still greater remission, while at the end of 49 years they will become the owners of the land; and all this benefit they will derive at the risk and peril of the British taxpayer. If they do not like to do it, do not let them. I shall be delighted if they do not. But as the right hon. Gentleman the Member for West Birmingham said, I do not see why Parliament should tempt these gentlemen to accept these gifts; and it is certainly not for them to look a gift horse in the mouth. It is said that the greater the number of years' purchase the bigger the security, but I am bound to say I do not agree with that. A small number of years' purchase means a high rent, and the rent is high because there is a strong probability that it will not be paid.

But the Land Commissioners will not consider the thing as a question of rent alone, but will consider whether the land is of real value, which is not the case with a number of holdings which do not bear an economical rent at all, and in which the tenants are unable to make sufficient to pay the rent and keep themselves. Am I not, therefore, right in looking at the matter, not from a sentimental point of view, but from a taxpayer's point of view, and in holding that the greater the amount of security we can get banked up during the first two years the better? Under these circumstances, though regretting to find myself in such company, I shall go into the Lobby with the right hon. Gentleman opposite.

*(6.41.) MR. STOREY: I should have thought that the fact that he is about to find himself in the company of hon. and right hon. Members opposite would have convinced the hon. Member who has just sat down that he is making a mistake. Looking at the matter from the point of view of the British taxpayer, I think the provision is not unreasonable. It gives us security as the taxpayers of Great Britain, and it staves off any necessity there may be for the Government of Ireland to foreclose on defaulting tenants and sell up their holdings. Therefore in principle I cannot say that I dissent from this provision. But I would point out that the security is the worst and most unfair that could be offered to the House, for the cheaper the holding the more insurance has the purchaser to pay. The hon. Member for South Tyrone referred to building societies, but if he had known anything about such societies he would have been aware that the desire always is to put as little a burden on the borrowers at first as possible. The reason is that during the first three, four, or five years the borrower will be anxious to expend most money on the land; and that is the time when the State should make it as little burdensome on the purchaser as possible. The exception I take to the Insurance Fund is that the heaviest insurance is charged where there is least risk, and that the burden is put on the early years of the transaction. If the right hon. Gentleman will have an Insurance Fund we would rather prefer the suggestion of the hon. Member for West Belfast than the proposal contained in the Bill. The figures on which I found my contention are these: If a man pays 20 years' purchase on an annual value of £5 he would have to pay a total of £100. His charge to the State would be £4 a year, and under the Bill there would be no additional guarantee to pay for the first five years. But in the case of a man who buys a 15 years' purchase at the same annual value his payment would be £3 a year, if there were no Guarantee Fund, but under the Bill his payments for five years would be £4 a year. Moreover, if he bought at 10 years' purchase without guarantee he would only have £2 a year to pay, but under the Bill with the guarantee he would pay for the first five years £4 a year. Therefore, I say that in these cases of 10 and 15 years' purchase, the right hon. Gentleman is unduly pressing on the purchasers during the earlier years of payment. The proposal of the hon. Member for West Belfast is that instead of the course provided for by the Bill there should be a guarantee charge of 10 per cent. *ad valorem*. The right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain) twitted the hon. Member for West Belfast with talking nonsense, and suggested to him the case of a man who gave 20 years' purchase, and there, I think, the right hon. Gentleman was unfair in his treatment of my hon. Friend. I say let us take a common case, for instance, one of 10 years' purchase, under the Bill with the guarantee proposed by the Chief Secretary—in the case of a 10 years' purchase, where the annual value was £5, the purchaser would have to pay £4 a year. But under a 10 per cent. *ad valorem* charge the same man would only have to pay £2 4s. a year; he would still have something in the nature of an insurance, but he would not be so severely drawn upon as in the case of the proposal under the Bill. Again, if you take the case of a 15 years' purchase with the guarantee in the Bill, the purchaser would pay £4 a year, but under the proposal of the hon. Member for West Belfast he would have to pay only £3. I submit that it is unwise for the Chief Secretary to press too

hardly on the people who make these bargains, and that it ought to be quite enough if he can insure what amounts to a sufficient guarantee. I say that the proposal of my hon. Friend would be much less onerous to the purchaser and at the same time equally safe for the State. I would, therefore, suggest that the Chief Secretary should substitute the 10 per cent. *ad valorem* charge which has been suggested as an insurance and spread it over 5 or 10 years instead of limiting it for the first five years. If the right hon. Gentleman will do this I shall be glad to support him.

(6.54.) MR. SEXTON: I am much obliged to my hon. Friend for what he has just said, more especially as the primary view the hon. Member takes in these Debates is always that of a Representative of a British taxpayer. I shall press my Amendment now and at every possible opportunity on the Committee and on the House, and I think that after the speeches we have heard, not only from the hon. Member for Sunderland, but also from the only Irish supporters of the Government who assume the name of Liberals, namely, the hon. Members for South Tyrone and South Derry, the modification I have suggested in the incidence of the charge deserves some further consideration on the part of the right hon. Gentleman. For the sake of compromise I should be disposed not to press my Amendment, which stands lower down on the Paper, to exempt the congested districts, although theirs is a very hard case, if the right hon. Gentleman will only agree instead of his insurance scheme to accept the proposal of an *ad valorem* charge of the 10 per cent. all round upon the tenants. The right hon. Gentleman has said that the scheme under the Ashbourne Act is a much smaller one than this. But my answer is that the Ashbourne Act had an equal application throughout the country, and that that is not the case in regard to this measure. Moreover the question of security is one that cannot be judged merely by the number of millions expended. You may test the security asked for quite as much in the case of £1,000,000 in the case of 100 tenants as by £100,000,000 in the case of 1,000 tenants—the argument being quite as powerful in one case as in the other. Nothing has been said in the course of this Debate to disprove the manifest fact that the provision contained in this Bill will necessarily have the effect of decreasing purchase by minimising credit, and I would strongly urge on the Chief Secretary that his proposal is unjust, particularly in the case of the smaller tenants. If the insurance proposed by the right hon. Gentleman is to be exacted, it ought to be exacted equally all round. I say that all the needs of the case would be sufficiently met by providing for one bad year, or say for one half-year, and my proposal simply amounts to a half-year's rent all round among large tenants and small.

MR. T. W. RUSSELL: I think the case would be met if the Chief Secretary would promise to consider the matter on the Report. It would be exceedingly difficult to deal with it now or before the Report stage. I hope, therefore, the right hon. Gentleman will adopt that course.

(7.0.) MR. A. J. BALFOUR: I do not wish to say anything which would indicate that I propose to re-model the Bill in this respect at any stage, because I should only be holding out false expectations to the Committee, although, of course, I am willing to consider anything that may be brought before me. If the hon. Member for West Belfast chooses to put down an Amendment to make the man who buys at 20 years' purchase pay as much insurance as the man who buys at 10 years' purchase we can discuss it; but it seems to me that the cases stand in the same relative position as Stocks, the prices of which rise and fall with the public estimate of their security. The hon. Member seems to assume that 20 years' purchase is an unfair price, whereas the assumption underlying the Bill is that the price is fair in all cases.

(7.5.) The Committee divided:—Ayes 176; Noes 102.—(Div. List, No. 175.)

(7.20.) MR. SEXTON: As the right hon. Gentleman the Chief Secretary adheres not only to the principle of his

proposal but to the detailed mode by which it is to be carried out, I have no option to do other than persevere with the Amendment which I have placed on the Paper.

Amendment proposed,

In page 5, line 34, after the word "Where," to insert the words "in the case of a holding not situate in a congested districts county, the annual value of which is more than twenty-five pounds."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

MR. A. J. BALFOUR: I do not think the Committee will think it necessary that I should repeat at any length the arguments I have already advanced in relation to the question raised by this Amendment. But I would take the opportunity of removing one or two misapprehensions which appear to have crept into our discussion on this subject. It was certainly never suggested by me that the small tenants in Ireland were to be treated differently to the large tenants, as appears to have been assumed by hon. Members opposite, although no doubt there is a wide distinction to be drawn between the position of tenants in different parts of Ireland. I should have thought there could be very little doubt that, to guard against default in congested districts, a purchasers' Insurance Fund is necessary. Land in the congested districts has always sold—for the last generation certainly—for a very much smaller number of years' purchase than land in other parts of Ireland. That is an inexplicable phenomenon, unless the reason is that rent in the congested districts is more difficult to collect and is paid less readily. The British taxpayer is not affected by the compulsory insurance, except in as far as it would tend to the smooth working of the Act. The person who will be affected is the purchasing tenant. To compel the Land Commission to evict a tenant who, by hypothesis, lives in a district so poor and so liable to be adversely affected by bad seasons, on the first occasion when the instalment is not paid, would not only be unfair to the Land Commission, but cruel to the tenant. It is to escape this hardship and cruelty that the Insurance Fund is established. Hon. Members habitually talk as though the provision will produce great inequality. It is just as open to me to say that what the Bill does is to give to every tenant, small or great, rich or poor, a reduction of 20 per cent., and that is equality. Arguing on this basis, the proposals of the Bill are more equal than those which it is proposed to substitute for them.

(7.35.) MR. CHANCE (Kilkenny, S.): The right hon. Gentleman is in error in stating that the Bill gives 20 per cent. to every purchasing tenant. It does nothing of the kind, and I am surprised that the author of the Bill should have made a statement which a moment's reflection would have shown him was not well-founded. There is nothing under this Bill to prevent purchases being made to the extent of 35 or 40 years' purchase money. Indeed, before the Ashbourne Act was in operation, I knew a case in which, under the Bright's Clauses of the Act of 1870 a tenant offered 42 years' purchase and the landlord refused to take it. The right hon. Gentleman admits that the position of the tenants in the congested districts is a very bad one; that they are living from hand to mouth, and that they are not paying their rent from the produce of the soil, but that when they do pay their rents at all they pay it from money which is earned at the English harvests, and is supplemented by receipts from relatives in America. Consequently in those districts the value of the land has nothing to do with the rents. A reduction of 20 per cent. would make very little if any appreciable difference in the position of the tenants in the congested districts. The Land Commissioners are already very slow in buying these small holdings on any terms, and I have known cases in which the Land Commissioners have refused to advance even nine years' purchase. In such cases the effect of this sub-section will be to stop the sale of these holdings altogether. This leads me to what I believe to be the view of the right hon. Gentleman and his colleagues on the subject. They desire to make this Land Purchase scheme a success as far as their own position with the public is concerned. They want to be able to go to their constituents and say, "we have advanced so many millions of money and everything

has gone right." To achieve this result, they have put a clause in the Bill which might well have been deliberately designed to prevent the Land Commissioners promoting land purchase at all in these congested districts. In point of fact they pick out the tit-bits on the different estates throughout Ireland and leave the unsaleable land on the landlord's hands, simply in order that they may make a show in five or six years' time, when they think they have a chance of coming into power again. If this is their design they ought at least to put it forward openly and plainly, for it would be much more honest to strike this sub-section out of the Bill and insert a clause empowering the Land Commissioners to refuse any advance in case of the small holdings in the congested districts.

(7.45.) COLONEL NOLAN: No doubt it is a reasonable thing to form an Insurance Fund, but I would point out that the right hon. Gentleman has already formed an Insurance Fund of 6¼ per cent. by charging £4 instead of £3 15s. 0d. per cent., and so adding an extra 5s. to the payments made by the tenants. I quite agree with the hon. Member for South Kilkenny (Mr. Chance) that the effect of this sub-section would be to materially interfere with the operation of the Bill in the case of the smaller holdings. If the Amendment of the hon. Member for Belfast were introduced, the clause would be materially improved, and the result would be that a large number of small tenants would take advantage of the Bill. This, no doubt, would have a general effect throughout the country and might be the means of enabling the Government to diminish the Constabulary Force, to reduce in some respects the number of civil servants now employed, and the number of military garrisons at present maintained, cutting down the expense of governing Ireland by £1,000,000 or £500,000, as a return for a few hundreds of thousands a year, which, however, will not fall on the Treasury, but upon the ratepayers of Ireland. I would strongly recommend the Chief Secretary to accept this Amendment, which, I am quite certain, will have a very good effect in Ireland.

MR. SHAW LEFEVRE: We have already decided on having an Insurance Fund. The question is, whether there should be certain exceptions in the congested districts? For my part, I hardly think it reasonable altogether to exempt a certain class of tenants, and therefore I cannot support the Amendment. I would, however, press upon the Government the expediency of making some relaxation in favour of the small tenants. I would suggest that, after the word "annuity," you might insert the words "a sum equal to one year's purchase."

(7.55.) SIR W. PLOWDEN (Wolverhampton, W.): I do not see the force of the objections that have been taken by gentlemen on this side of the House. I sincerely trust that no exemption will be allowed in this measure.

MR. CHANCE: I assume that if the tenant pays the abnormal annuity during the first five years, he is to be evicted, and his holding is to be sold?

MR. A. J. BALFOUR: He will be evicted unless the non-payment is the result of agricultural distress.

MR. CHANCE: Then the position may be this: he may have paid his abnormal annuity for four years, so as to have practically paid eight years' rent in the four years, and in the fifth year he may fail to pay. In that case, although he has paid his instalments for three years in advance, he is to be evicted. The Land Commissioners are bound to take into account the reasonable probability of the holding being fit to pay the abnormal annuity, and ought not to make an advance if they have reason to know that it will end in five years in eviction.

(8.0.) MR. A. J. BALFOUR: The hon. Gentleman has given the case of a man who pays for four years into a large Insurance Fund, and who has no title to claim any rebate on the ground that he suffers through his own default. The Commissioners, no doubt, will consider that point.

MR. CHANCE: While you have this man's insurance in your hand you are going to treat him as a man who has made absolute default, although he has prepaid his rent, so to speak, for four years. I think that nothing could be more absurd. But it is admitted that

under such circumstances he would be turned out. The Land Commission then must certainly not make an advance on a holding without considering this point. When the Commissioners are making advances in congested districts they refuse to advance more than 8, 9, or 10 years' purchase. That being so, can any rational man on the Committee think they will advance money that will place on the holding the burden of paying 80 per cent. of the rent in the first five years?

MR. T. W. RUSSELL: I should like to ask the hon. Member who has just spoken why should a man who has paid four years of this abnormal annuity stubbornly refuse to pay it for the fifth year, when he knows that at the end of the fifth year he will be relieved of the extra amount? We have been assuming to-night that the Irish tenants are not fools. The hon. Member seems to suppose they are fools. If there is to be an Insurance Fund, let it apply all round. It seems to me that it is in congested districts that an Insurance Fund is most required. I shall vote for the clause and against the Amendment.

(8.5.) MR. CONYBEARE (Cornwall, Camborne): I quite agree with the last speaker that in the congested districts default is likely to happen. I know from what I have seen in Ireland that the rent paid on these estates is not paid out of the land, but is obtained from labour in our own country, or from the labour of the children of the tenants in America or elsewhere. I have, myself, travelled over a considerable portion of these congested districts, for instance, in County Mayo and County Galway, and I made myself familiar some years ago with the condition of the Dillon estate. It is admitted on all hands that there would be no rent paid by the unfortunate tenants if the farmers did not go to Scotland for the harvest. During the five years in which this abnormal annuity is to be paid there will probably be repeated defaults, and unless the right hon. Gentleman the Chief Secretary intends to impound the wages received by the children of the tenants as the money comes over from America, I fail altogether to see where he is going to get money from the tenantry to pay even the diminished rent provided for under the machinery of this Bill, quite apart from the increase of 80 per cent., he proposes under this clause; as far as I can see, the idea of purchasing the holdings of the small tenants in these congested districts is altogether an absurd one. You will be compelling them, if they are able to pay at all, to pay not out of their own pockets but out of the pockets of their children in foreign countries, and out of earnings which have no relation whatever to the soil. You will also be compelling them to pay for property which is their own. The fee simple of hundreds and thousands of acres in congested districts is of absolutely no value. Without the labour of the tenants, the outside price would be 6d. an acre. It is possible for the landlords under this Bill to charge practically anything they like. I maintain that the whole of the price the landlords will be able to squeeze out of the tenantry—in which process they will, of course, be aided by the coercion system of the right hon. Gentleman—will be squeezed out of the money they obtain from other sources than the land.

THE CHAIRMAN: The question is not now of authorising purchases to be made, but what is to be done in cases in which purchase has been authorised.

MR. CONYBEARE: I will not continue that line of argument, Sir. I was only anxious to insist that the Government will have to face this probability in reference to insurance, and they will probably find that from the very start these unfortunate people will be unable to pay their 80 per cent. of the rent, and the insurance fund will fall through altogether from the first. My hon. Friend near me said just now that the object of the Government apparently is to make this system of purchase a success as far as the British public is concerned. I much doubt whether the right hon. Gentleman troubled himself at all about the British public being concerned about it. The Government take care by every means in their power to prevent loss falling on the landlords, but the application of this principle of insurance to the case of small tenants will be absolutely

impossible, as far as I can see, for this measure to be a success even supposing the Government are desirous of making it a success. There is another point the Committee ought to take into consideration in dealing with this matter. It has been pointed out that the Government by insisting on the application of this insurance clause to the smallest tenants in the congested districts will be introducing, if not an absolute bar, at any rate a very considerable bar or obstacle to the application of this measure to those tenants. I do not wish to impute sinister motives to the Government in this respect, but if, with their eyes open they insist on this, and thereby introduce this difficulty in the way of dealing with the congested districts, I can only say it will afford to my mind a strong presumption that they are doing it in order to get out of the second part of this Bill. If their refusal to exempt from the application of this insurance the congested districts will make it practically impossible for the Act to apply to those districts, does it not seem as though they want an additional lever to assist them in the application of the emigration provisions contained in Part 2 of the Bill? I cannot support the Government in opposing this Amendment.

*(8.20.) MR. WEBB (Waterford, W.): I had not intended to intervene, but I feel bound to say that it would be the height of unfairness that tenants who make default, and who have paid six or seven years' rent instead of only four, shall be sold up. The default would be not because they stubbornly refuse to pay, but because they cannot. I believe that this will prove a great grievance, and will cause a great deal of soreness amongst the Irish tenants. The more this Insurance Fund is discussed the more its unfairness becomes apparent. It is not necessary at all to have it, but if there is to be such a fund let it be equal all round. As it has been decided to have it I support this Amendment, believing that it will to a certain degree prevent the application of the principle to a class of holdings to which it would be unjust and unfair to apply it.

(8.23.) The Committee divided:—Ayes 42; Noes 95.—(Div. List, No. 176.) (8.30.)

(9.4.) MR. MACARTNEY (Antrim, S.): There is an Amendment standing in the name of my hon. Friend the Member for North Down (Colonel Waring), upon whom, I think, you called. I do not know whether the Amendment the hon. Member for Belfast wishes to propose comes in first?

MR. SEXTON: Yes; my Amendment comes in first. I have to move an Amendment which raises the question of rateable insurance proportionate to the amount of purchase money and the amount of annuity. I do not know whether I may appeal to the sympathy of the Attorney General for Ireland——

THE CHAIRMAN: Will the hon. Member say where his Amendment will come in?

MR. SEXTON: After the word "advance" in the first line. I have first to move the insertion of the words "is made."

THE CHAIRMAN: In that case the hon. Member for North Down has precedence, for his Amendment in that place is on the Paper.

(9.5) MR. MACARTNEY: The Amendment which, on behalf of my hon. Friend, I have to move will take effect in the cases of those tenants who advance a portion of the purchase money.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

(9.8.) MR. MACARTNEY: In the event of the Amendment being accepted, further words would have to be inserted after the word "holding"——

LORD HENRY BRUCE (Wilts, Chippenham): I rise to order, Mr. Courtney. I believe, Sir, you have a certain discretionary power with regard to a "count." It is only about three-quarters of an hour ago since a Division was taken, and, as there were more than 130 persons present, I apprehend that it was quite palpable that a quorum was in attendance just now, when a count was called.

MR. MACARTNEY: In the case where the tenant has himself advanced a certain portion of the purchase money it appears to me obviously unfair that he should be called upon to contribute towards the

Insurance Fund, not only on the advance made by the State, but his own purchase money. I am informed that several instances have occurred under the Ashbourne Act, and, in all probability, such cases will occur under this Act. I would suggest to the Government that, having such instances in view, they should accept these words, which have no ulterior motive, but which are designed to meet the cases of those tenants who are willing and able to contribute from their own resources towards the purchase money where the advance is less than 20 times the annual value of the holding. I do not think it is necessary to elaborate the argument; the proposition is simple, and I do not know that there is any objection to it.

Amendment proposed, in page 5, line 34, after the word "advance," to insert the word "made."—(*Mr. Macartney.*)

(9.12.) MR. A. J. BALFOUR: The tenants to whom my hon. Friend refers are those who offer to pay a third of the purchase money, borrowing the remaining two thirds. Now, I doubt whether the class to which he alludes is a very large one, and probably purchasing tenants under this Act would always prefer to borrow the whole amount and use their capital in another and more productive manner. At the same time if they do decide to advance a third of the purchase money the probability is that they belong to a class from whom it is not necessary to extract an Insurance Fund. Let me, however, point out to my hon. Friend that the proposal should not be carried out by the insertion of the words here, but by proviso at the end of the sub-section. Nor do I think that the exact words proposed will carry out the intention. I think something in this way would meet his object—

"Provided that this sub-section shall not apply where an advance does not exceed three-fourths of the purchase money of the holding."

If that would satisfy my hon. Friend I should be willing to insert it.

MR. MACARTNEY: I am quite willing to accept that.

Amendment, by leave, withdrawn.

(9.15.) MR. SEXTON: I now beg to move an Amendment after the word "advance," to insert the words "is made,"

Mr. Macartney

with a view to altering the first five lines, introducing language which instead of leaving out some tenants altogether, and taking from others a very inadequate insurance for the payment of the holding, and from others an amount in excess of the need the right hon. Gentleman describes, will apply an equal rule and exact a rateable insurance from all tenants coming under the rule, having regard to the purchase amount and the annuity. The sub-section runs thus—

"Where an advance for the purchase of a holding is less than 20 times the annual value of the holding as defined by this Act, then during the first five years of the term of the purchase annuity the annuity shall be 80 per cent. of such annual value."

I propose that it should read—

"Where an advance is made for the purchase of a holding—then—during the alternate years of the first nine years on the term of the annuity the annuity shall be £4 8s. per cent. on the amount of the advance."

The objection I make to the right hon. Gentleman's plan is this, he leaves out of account the tenant who ought to pay the insurance as well as others. The 20 years' tenant might pay the insurance and yet have an annuity much below the old rent, and the tenant who buys at 19 years pays only 4s. a year insurance, that is £1 on the five years. I think if we look at this it is in no sense an adequate provision against the calamity the right hon. Gentleman has in mind in pressing this Insurance Fund. In the case of the 10 years' tenant you take an insurance enough to meet a five years calamity, and it is obvious the scheme of the Bill will not act fairly. The right hon. Gentleman says he is willing to admit that 10 years' purchase may be fair, or 20 years' may be fair; he does not impeach any bargain on the years' purchase, and if he admits that, then, by inference, it follows that the tenant is entitled to such benefit as the credit of the State affords. Surely it cannot be contended that it is fair that one man should provide as insurance a quarter of an annual payment, another two years, and another five years. Why should the right hon. Gentleman require to raise a fund to meet a five years' calamity? He need not in any case ask for more than would

meet one year's calamity. To pile up five years' insurance will be to do what, in the first place, is unjust, and, in the second place, needless. What I suggest is not open to the charge that it leaves out some persons and hits others too hard. My proposal is, that you levy from any tenant on every alternate year for nine years, but I am willing to make it 10 per cent. for the first five years. Ten per cent. for five years would make half a year's provision, and that would be quite enough to meet the needs which the right hon. Gentleman has in view. But if it is absolutely indispensible to make a year's provision in every case I would not object to that, and it would be a better scheme for the State than the scheme of the right hon. Gentleman. It would get rid of the empty coffers in the case of the 20 years' tenants, and provide a year's annuity down to any point you name. A modified scheme of this kind would meet the requirements of equity, it would appeal to a sense of justice, and show that proportion of the burden in each case to the insurance scheme, and you will leave the people to increase the Insurance Fund on their own account, as they will if you do not thrust this upon them against the equity of the case. I think, in the long run, you would get a very considerable Reserve Fund by my scheme, and I think I have made out a tolerable case, which I beg again to press on the attention of the right hon. Gentleman.

Amendment proposed, in page 5, line 34, after the word "advance," to insert the words "is made."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

(9.28.) MR. A. J. BALFOUR: Of course, I admit that the plan introduced in the Bill will not produce any startling effects. The amount of the insurance depends obviously upon the danger of the insurance being required. The hon. Member seems to think that equality is attained by insisting that the purchaser of every kind of holding should pay the same amount of insurance. That could only be fair if the risk in every case was the same; but is the risk in every case the same? If it is, then the hon. Gentleman is justified in his contention. If it is not, and if it is true that a holding held at 10 years' purchase is an insecure investment, while one held at 20 years' purchase is a secure investment, then to have the same Insurance Fund in both cases is obviously unjust. To have the same amount of insurance against loss for different degrees of risk is not to make it fair but unfair, not equal but unequal. I am assuming, as must be assumed, that on the whole the bargain between the landlord and tenant would result in a fair price being given. On the whole, the Bill does provide the largest amount of Insurance Fund where the largest amount of loss may arise. I am very sorry I am not able to meet the hon. Gentleman in what he proposes; and if the Committee will support me, I will adhere to the proposal in the Bill.

(9.30.) MR. CHANCE: The same error runs through all the arguments of the right hon. Gentleman. He assumes that a holding sold at 10 years purchase of the rent is, in some respects, a worse security than a holding at 20 years' purchase; but the Land Commissioners must recollect that fact; and if they believe it to be a worse security, it is their duty to retain a larger deposit from the landlord. In the case of two holdings precisely alike, one tenant who is not able to make a good bargain and pays 20 years' purchase will have to pay no annuity at all; while the other tenant, a provident man and able to make a good bargain, who buys at 18 years' purchase, will have to pay five years' insurance. I cannot understand for the life of me, how a Member of this Committee usually so astute as the right hon. Gentleman should fall into an error so stupid as that of confounding the rent with the purchase annuity. Apart from the question of extreme cases, it is obvious that the more money the State advances the more security will it want. If an Insurance Company advanced £10,000 on an estate it would require a certain amount of security. If it advanced £12,000 it would require more security. But in this clause the common rule of prudence is turned upside down in an extraordinary—I might almost say Irish—

fashion. Where an Insurance Company calls for more security because the advance is larger, the State calls for less. I cannot conceive a more absolutely absurd position. I trust some Member of Her Majesty's Government will offer a real and intelligible argument upon the subject of this Amendment.

*(9.37.) MR. KNOX: The Amendment is one which we venture to think the Government should at least consider. I confess I am surprised at the attitude the Chief Secretary has thought right to adopt on this clause. In the previous clause he accepted a number of reasonable Amendments, though I must admit that there had been no strong Irish opinion on them outside. We come here to a clause on which there has been a wide and unanimous expression of opinion in Ireland. There is no difference between the various sections of Irish Members on this side of the House.

THE CHAIRMAN: The hon. Member is travelling outside the question. The only question now is the form of insurance.

*MR. KNOX: I was trying to show how there is a general consensus of opinion among all, except the landlords, against a provision which makes the security as much as 80 per cent. of the purchase. Under this provision you will actually take from the tenant more in many cases than he previously paid. The Chief Secretary says that the landlord takes 10 years' purchase because the landlord has not been in the habit of receiving anything like his full rent. Why is the Government for the first five years to extract from the tenant something which is not much less than the full rent? According to the foundation of the Chief Secretary's argument, this provision is without argumentative justification. What is the real reason of smaller prices being given in the West of Ireland? I believe it is because of the work done by the two Land Commissioners there. They have habitually refused to make advances on those holdings in proportion to the amount previously paid for rent. They recognised that the rent was paid not out of the produce of the land, but out of money earned by the tenant elsewhere. They, therefore, made the advances on the actual value of the holding; and if it be asked why the landlord accepted this valuation, the answer is that he could not get any more. I really must ask the Government to re-consider the whole question, on which there is an unanimous opinion among nearly all sections in Ireland.

(9.45.) The Committee divided:—Ayes 58; Noes 108.—(Div. List, No. 177.)

(9.52.) MR. CHANCE: I beg to move the Amendment which stands in my name, the effect of which is to make this clause more conformable with the practice of business men—that is to say, to make the collateral securities larger as the advances increase. I want to deal, in the first place, with the poorer class of tenants—the tenants on whom the pressure of prices has fallen with the greatest weight—and those are the tenants living upon holdings the purchase value of which is very small. The operation of my Amendment would be, to some extent, to destroy the effect which the Government credit has had in creating an artificial market for land, and in raising the price of land, and, at the same time, to turn the benefit of the Act to the poorer class of tenants who want it most, and from the richer class of tenants who want it least. I think the operation of this clause would have a tendency to give an artificial value to the land; and if the Government decline to accept the Amendment, I hope that, at any rate, we shall be given some reason for the refusal.

Amendment proposed, in page 5, line 34, to leave out the word "less," and insert the word "more."—(*Mr. Chance.*)

Question proposed, "That the word 'less' stand part of the Clause."

(9.56.) MR. A. J. BALFOUR: I do not know that, looking to the substance of the speech of the hon. Member, it is necessary for me to advance any argument. The hon. Member surely cannot wish me now to refute the very arguments with which I have endeavoured to convince the Committee.

MR. CHANCE: I do not in my Amendment make 15 years the standard. There is no reason why the amount should not be 10 or 12 years' purchase.

MR. A. J. BALFOUR: That will be a question for the Land Commissioners.

MR. CHANCE: Only last week I had before me several cases in which the Commissioners had refused to advance more than a sum equal to nine years' purchase on the valuation.

*(10.0.) MR. STOREY: I understand the Amendment to mean this: To those who buy at 20 years' purchase there will be no difference in the annual payment; but the burden will be felt by those who buy at the rate of 10, 11, or 12 years' purchase. Now, my point is that we ought not to differentiate between the various classes of purchases, but that the insurance payment should apply to all classes equally. I therefore cannot support the Amendment.

(10.1.) The Committee divided:—Ayes 149; Noes 49.—(Div. List, No. 178.)

(10.14.) COLONEL NOLAN: In moving the next Amendment which stands in my name, I do not intend to dwell upon it at any great length, because it was incidentally discussed on the previous Amendment. But I would point out to the Chief Secretary that the cases in which 14 or 15 years' purchase is the sum agreed upon will be the majority of the cases arising under the Act. Indeed, I hold that in nearly all cases the terms will range from 16 to 20 years' purchase, and I certainly do not believe that a reduction of 20 per cent. will be considered sufficient in those cases. The right hon. Gentleman must see that the Members for Ireland have throughout been in favour of some relaxation of the drastic provisions of the Bill, and I do, therefore, urge upon him the desirability of making some concession on this point.

Amendment proposed, in page 5, line 35, to leave out the word "twenty," and insert the word "sixteen."—(*Colonel Nolan.*)

Question proposed, "That the word 'twenty' stand part of the Clause."

(10.25.) MR. A. J. BALFOUR: I have very grave doubts whether the Amendment of the hon. and gallant Member will bring about the condition of affairs which he desires. I cannot but think that tenants purchasing under the Ashbourne Acts have obtained more than their due proportion. But that is a question which will have to be discussed later on. I can only now say I do not think the adoption of the Amendment would foster sales to small tenants.

COLONEL NOLAN: I differ from the right hon. Gentleman on that point. The larger tenants may be expected to give 20 years' purchase, while 25 years will probably be demanded for the smaller tenants.

(10.27.) MR. A. J. BALFOUR: But how would the Amendment relieve the smaller tenant, who has to pay more than 16 years' purchase for liability to pay to the Insurance Fund?

(10.28.) The Committee divided:—Ayes 161; Noes 55.—(Div. List, No. 179.)

(10.40.) MR. SEXTON: I wish to draw the attention of the hon. and learned Gentleman the Attorney General for Ireland to the phrase "annual value of the holding," in line 35. Now, there was no such phrase in the Bill of last year, and I do not see any necessity for it now. I therefore move the next Amendment which stands in my name.

Amendment proposed, in page 5, line 35, to leave out the words "as defined by this Act," in order to insert the words "as in this Act defined as the interest the tenant agrees to buy in the holding."—(*Mr. Sexton.*)

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I do not see what objection there can be to the words. The annual value will be the value as defined by the Act.

MR. SEXTON: But I cannot see what harm would be done by agreeing to the Amendment.

MR. MADDEN: I think that the Bill is perfectly clear on this point.

Amendment agreed to.

(10.45.) COLONEL NOLAN: I have now to move as an Amendment that the guarantee of the Insurance Fund shall be paid for one year instead of five years. It is of no use going over the old argument, but I do urge that if a tenant pays this extra premium of 15 or 20 per cent. for one year, it will form a sufficient

fund to secure against all possible loss. As the clause now stands, I am afraid the payment will not be limited to five years; it may have to go on for an indefinite period. Surely the Chief Secretary will be willing to make some concession on this point.

Amendment proposed, in page 5, line 36, to leave out the words "five years," and insert the word "year."—(*Colonel Nolan.*)

Question proposed, "That the words 'five years' stand part of the Clause."

MR. SEXTON: Allow me to suggest a compromise. The right hon. Gentleman the Chief Secretary wishes five years, and my hon. and gallant Friend desires to limit the payment to one year. Why not make the period three years?

(10.50.) MR. T. W. RUSSELL: Although I agree with the Government as to the desirability of establishing an Insurance Fund, I certainly should be glad to see the right hon. Gentleman give way on this point.

MR. LABOUCHERE: I think the hon. Gentleman who proposed this Amendment has given the Committee very good reasons for not accepting it. He said no Irishman ever looked forward more than one year, and if that be so it surely cannot signify whether this payment is insisted on for one year or five years. Of course, I do not blame hon. Members for Ireland for trying to get all they possibly can, but I do think the Government would be exceedingly foolish to acquiesce in this proposal. We English Representatives have a duty to perform in the interests of British taxpayers. We are here to look after their interests, and all I can say is that, in my opinion, if there ought to be any alteration on this point, it should be in the direction of extending instead of lessening the period. I advise my Irish friends to rest and be thankful for all the good things they have got.

(10.55.) COLONEL NOLAN: I am sorry my hon. Friend the Member for Northampton has taken up this attitude. To my mind, the British taxpayer has already been trotted out sufficiently for electioneering purposes. I hope the right hon. Gentleman will make some concession in our favour.

MR. STOREY: It seems to me that the effect of this proposal will be to place a premium on increasing the number of years' purchase, and I do not think that we as guardians of the British taxpayer would be justified in agreeing to it.

MR. LEA: I think the suggestion of the hon. Member is really a good one. The hon. Member for Northampton (Mr. Labouchere) admits that his only desire is to wreck this Bill. There are two ways of wrecking it. One is to put its supporters in a minority, and the other is to render it unworkable. I trust the Government will accept the compromise with reference to the three years, and that the hon. Gentleman below the Gangway will allow the clause to go through.

(11.0.) MR. CONYBEARE: I really think the hon. Member who has just sat down is very ungrateful. He complains that we want to wreck the Bill by making it unworkable. Surely he has not forgotten that one of our own Party—the hon. Member for Dundee (Mr. E. Robertson)—on the first night of these Debates saved the Government by pointing out how absolutely ridiculous the measure was as drawn, and how they might remedy its essential defect. Unfortunately, this Bill will be only too workable, and workable to the ruin of the British taxpayer. The reason why I cannot support the Amendment to make this one year instead of five is the very argument adduced by my hon. Friend in favour of such a proposal, namely, that it would bring in more purchasers and would dangle the Bill more prominently before the insolvent tenants. I want the measure to be confined within the narrowest possible limits, and I cannot support the proposal. My hon. Friend said that if we rejected the proposal, we should be removing the butter from the bread of a large number of Irish tenants. But I would remind him that it is our butter and not his. We put it on the bread. As the butter comes out of our pockets, I shall certainly think twice before I consent to facilitate the process of putting the butter on. Why, it is said, should you make the

limit £1,200,000 a year, when you take £200,000 a year from local resources under Clause 3, for you need not be afraid of the advances? But this goes to the whole root of the question. The right hon. Gentleman knows that this so-called guarantee is absolutely worthless, that it is a bogus—a sham—guarantee, and it never could be realised.

(11.5.) MR. A. J. BALFOUR: I am very unwilling to interpose between the friends of Ireland and the Representatives of Ireland, for it is not for me to try to settle their quarrels; but I may explain the position in which we stand. Hon. Members opposite have openly expressed a desire to destroy the Bill, or so to injure it as to make it unworkable. On the other hand, Irish Representatives desire that the Bill should pass. I credit the hon. Members for Northampton and Camborne with the desire to induce the British taxpayer to believe his interests are in danger, but hon. Members behind them have no such apprehension, and openly press their claims against the British taxpayer. The hon. and gallant Gentleman who has moved this Amendment declared earlier in the evening that the proper means of providing an Insurance Fund was a Vote of the Imperial Parliament, that if any calamity arose Parliament should certainly meet it. I have some points of agreement with the Members for Ireland, and also with the friends of Ireland, and likewise some points of difference with both. I have been pressed by hon. Gentlemen below the Gangway, and by hon. Friends above the Gangway, to accept a compromise, and substitute three years for five. I hope I have not shown any undue reluctance to accept Amendments which would facilitate the proper working of the Bill and facilitate progress of business, but there are reasons why I find myself unable to accept the Amendment. The average price of Irish land is something a little over 17 years' purchase. If 17 years' purchase be taken as the normal selling price of land, it will be found that at the end of the five years' period during which the tenant's insurance money is collected—in which the abnormal annuity is running—a sum will be reached which will very nearly equal the amount of one year's annuity. This is about the sum that ought to be aimed at. It is true that, if you take 19½, 19, 18½, or 18 years' purchase the amount of insurance received will differ. After all, what we ought to go by is the normal number of years' purchase at which land sells, and it is not less than 17. That gives a little less than one year's annuity for the Insurance Fund, and it appears to me that what we ought to aim at is one year's purchase at the normal selling price. I therefore come reluctantly, but clearly, to the conclusion that the figure introduced in the Bill is the figure which the Committee would be well advised to keep.

COLONEL NOLAN: I propose to withdraw the proposal for one year, that a Division may be taken on the substitution of the figure "three."

THE CHAIRMAN: That Question will arise on the Question of inserting another word. The Question now is, the retention of "five."

(11.15.) The Committee divided:—Ayes 179; Noes 61.—(Div. List, No. 180.)

(11.25.) MR. CHANCE: The Committee have now reached a stage when a final decision has been taken that the purchase insurance annuity shall, as a rule, be exacted for five years. But though that rule has been laid down, I do not assume that it is the only rule, human or divine, to which there shall be no exception. In the belief that it should not be absolute and invariable, I propose to move an Amendment providing that during the first five years the annuity shall be such sum not exceeding 80 per cent. of the annual value and not less than 4 per cent. on the advance as the Land Commissioners may deem expedient. That is to say, the Land Commissioners may in exceptional cases, when they think it expedient to do so, diminish the amount of the abnormal annuity, or do away with it altogether. I am sure, if the right hon. Gentleman had any practical acquaintance with land purchase, he would know that cases arise on every estate which require to be dealt with in an exceptional manner; but if he retains this as an invariable rule, the Land Commissioners will make advances on two-thirds or three-fourths of

an estate, and leave the other third or fourth on the landlord's hands. Suppose a rent of £10 and a purchase on a 10 years' valuation under the old Act, the Land Commission had only to consider whether the holding was safe to pay £4 a year for 49 years; but under the Bill as it now stands, the Commissioners will have to consider whether the holding can pay 8 per cent. for the first five years and 4 per cent. for the rest of the 49 years, subject to a certain fining down process, and there will be cases where, although the holding is safe to pay the normal annuity, it is not safe for the payment of the abnormal annuity during the first five years, and the Commissioners may say that they are unable to entertain the purchase. There will be, I am sure, a number of cases where a holding will be safe for the payment of £6—that is to say, £4 being the normal annuity, and £2 as an abnormal annuity or temporary payment. But the Commissioners will have no power to fix upon an intermediate figure betwixt the £4 and the £8. If the Bill passes without my Amendment, they will in no way be able to modify this rule; and if the holding falls short by a single 1s. of being due security for the abnormal annuity during the first five years, they will have no option except to refuse to allow any advance whatever. Obviously, they could not make the advance subject to the lucky accident of the tenant being able to tide over the several charges that may come upon him in the succeeding 45 years. That, clearly, is a hardship from the tenant's point of view; and I contend that if the principle of an Insurance Fund is to be admitted in the Bill, it is well to provide a clause for enabling the Land Commissioners to deal with an estate as a whole, so that upon one estate the richer holdings may not be purchased and the poorer holdings left upon the landlord's hands, perhaps in isolated cases, here and there. If the Government do not adopt this view of mine, the position will be that upon one estate three-fourths or four-fifths of the holdings will be sold, whilst those of the worst class remain unsold, and undoubtedly this will be against the interest of the landlords as well as the tenants. I hope, therefore, that this rule will not be made inflexible, but that some power of modification shall lie with the Commissioners, under proper circumstances, to deal with this abnormal insurance clause. For my own part, I am exceedingly reluctant to give such a power to the Land Commissioners, for I have no confidence in these gentlemen, and suspect they will not be favourably inclined either to the tenant, or to those Local Authorities whose funds it is proposed to hypothecate. But I am not the author of the Bill, and I cannot make my views felt. What I can do is to offer this doubtful expedient. But the Chief Secretary, the author of the Bill, places the utmost confidence in the Commissioners. He has even gone so far as to release them from the control of Parliament, therefore, I do not think I am asking much from him when I recommend that they should be trusted with this discretionary power. The right hon. Gentleman does trust them with discretionary power later on in this Bill, where they have to deal with sudden or unexpected calamity falling upon the tenant, and not caused by his own default. I appeal to the Chief Secretary to give a similar discretion upon this point, and I am sure it will assist the smooth working of the Bill.

Amendment proposed, in page 5, line 37, after the word "be," to insert the words "such sum not exceeding."—(*Mr. Chance.*)

Question proposed, "That those words be there inserted."

(11.34.) MR. A. J. BALFOUR: I have every confidence in the Land Commissioners, but it is quite another thing to entrust them without guidance or rules to indicate their course in the administration of the Insurance Fund, thus throwing upon them a burden it is hardly right to ask them to bear. There is, no doubt, some analogy between this point and another question to which the hon. Member has alluded. But, in the latter case, the most careful rules to guide the Commissioners are laid down; whilst, here, the hon. Member suggests no rule or guidance whatever. One of the objects I have always felt to be attained by this insurance is one that has been rather left out of view in the Debate, but one to which I attach the very

highest importance. It is that by this insurance you get rid of that feeling of envy which might animate tenants who find themselves unable to purchase, when they compare the amount of rent they pay to that which is paid by tenants under contract of purchase. But this is not a point upon which the Land Commissioners are qualified to form an opinion; it is purely an administrative matter and a question of policy which cannot be left for them to determine. The hon. Gentleman appears to think there may be holdings able to bear the normal insurance, but not plus the extra insurance for five years. I do not believe there are any such. My own view is that if the Land Commissioners are of opinion that the tenant of a holding cannot, even in the absence of exceptional misfortune or distress, pay 20 per cent. less than the rent he has actually been paying for the holding, then they ought not to sell to that man. And I cannot conceive why they should. They have power to determine the annual value of the holding.

MR. CHANCE: Not where the judicial rent is fixed.

MR. A. J. BALFOUR: A competent Court has determined the annual value of the holding; and if there is a tenant who, in the absence of exceptional distress, is not able to pay 20 per cent. less than this value, then I say to that man the holding should not be sold at all. Where a tenant suffers exceptional distress through calamity special to the holding, or peculiar to the district, and not through any fault of his own, the Bill provides a method of meeting his case; but if a man is improvident or stupid or drunken, or in any other way disqualified for making a sum of less by 20 per cent. than the rent, then I say he is not a fit man to purchase the holding. Under the circumstances I ask the Committee not to accept this proposal, which certainly should not be made without some rule for the guidance of the Commissioners.

(11.39.) MR. KNOX: I do not imagine that my hon. Friend would object to any such rule for the guidance of the Commissioners, providing that the principle of his Amendment is accepted. The Chief Secretary, I think, will have observed that there is almost unanimity of opinion in favour of the Amendment. From South Tyrone and from every other part of Ireland a protest is made against this provision. There is an agreement which has seldom been seen upon this question, and rightly or wrongly, undoubtedly it is the opinion of a vast number of people that this particular provision will tend to defeat land purchase in Ireland. The Chief Secretary says this will be putting upon the Land Commissioners a duty which is foreign to their position as a Judicial Body. But the right hon. Gentleman faces both ways in meeting our arguments. He tells us at times that the Commissioners are an administrative and at others that they are a Judicial Body. I say that this will certainly be a duty akin to those they have to perform. They have to see that there is sufficient security for the advance which is to be made upon the holding; and surely if the Land Commissioners are capable of judging of the amount of security the holding affords, they are also able to express an opinion as to the necessity for the abnormal amount of insurance, and may be entrusted with the discretion which will enable them to set a tenant on his legs again after a succession of hard years. I must press again on the Government, if the Chief Secretary is not philosophically indifferent to all argument, that they should re-consider the question, which I believe everybody in Ireland considers is at the root of the success of land purchase. Surely some sort of discretion should be allowed. The Chief Secretary will not give us compulsory purchase, so that it will only be where the landlords will sell that the tenants will be able to buy. In many of the congested districts the tenants have not been able to pay their rent, therefore, it may be taken that the nominal rent has been higher than it ought to have been. Surely it is a hardship to give a man no chance of becoming a peasant proprietor unless for five years he pays considerably more than he is able to pay at present. I believe the Chief Secretary does, in some degree, wish the Bill to work successfully, and I would, therefore, ask him not to erect this cast iron barrier against land purchase in Ireland. My hon. Friend allows me to say that he

will accept any reasonable modification, and all we ask is that there should be discretion given to the Land Commissioners in this matter.

(11.43.) MR. SEXTON: The objection raised by the Chief Secretary was rather more of a technical than of a substantial nature. If the Amendment is adopted it will only impose on the Commissioners a duty analogous to those they already will have to perform. If they are capable of judging of the security and its value they surely are capable of receiving the amount of the insurance money, if they are of opinion that the imposition and the full demand would prejudicially affect the solvency of the tenant or interfere with the due cultivation of the holding. How can the right hon. Gentleman say that the Land Commission is unfit to discharge the function contemplated by my hon. Friend when we remember the duties it will have to perform under Sub-section 4. When the regular annuity falls into arrear on any holding, the Land Commission will have to examine into the circumstances of the tenant and say whether or not the default is unavoidable, and I hold that that is a duty analogous to that contemplated by the Amendment. Furthermore, after they have applied the insurance money to the payment of the arrear, they then have to apply to fix the amount of the money and arrange as to time. There is, therefore, no force in the contention of the Chief Secretary, who seems to have placed himself under an honourable understanding with the landlord party, to give a common repulse to all Amendments, however reasonable. I trust my hon. Friend will press his Amendment to a Division.

(11.47.) MR. CHANCE: The right hon. Gentleman stated that my case assumed that a given holding might be good security for a normal annuity for 49 years and yet might be bad security or no security at all for an abnormal annuity during the first five years, and he said those were the cases we did not want to deal with under this measure. Under the Ashbourne Act when the Land Commission was satisfied, the whole amount could be advanced. Now the cases are to be subjected to the fresh consideration whether for the first five years they will bear an abnormal annuity. Under that Act you made no loss, and yet the cases you exclude are the very cases in which land purchase is most needed to tranquilise the people and make the localities prosperous. It has been suggested that the right hon. Gentleman is under some contract in regard to this clause. It looks very like it. But I do not know with whom he can be under contract. It cannot be the tenants, because a certain number of tenants are excluded from the relaxation of the rule. It cannot be the landlords obviously, because by the refusal of this Amendment a certain number of cases will be left on their hands, and they will have scattered holdings all over their estates. The only interpretation I can place on it is that he wants to make this Bill a tit-bit Bill, and to say as he skips out of office "We have made no loss"—leaving the tail of the tenants to be dealt with by his successors.

(11.50.) The Committee divided:—Ayes 74; Noes 151.—(Div. List, No. 181.)

It being Midnight, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again to-morrow.

REFORMATORY AND INDUSTRIAL SCHOOL CHILDREN BILL.—(No. 261.)

Read a second time, and committed for to-morrow.

TRAMWAYS (IRELAND) ACT (1860) AMENDMENT BILL.—(No. 160.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again to-morrow.

RIFLE RANGES.

Report from the Select Committee, with Minutes of Evidence and an Appendix, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 223.]

House adjourned at ten minutes after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, 5th May, 1891.

MARRIAGE ACTS AMENDMENT BILL.

[H.L.]—(No. 102.)

Reported from the Standing Committee with further Amendments; the Report of the Amendments made in Committee of the Whole House and by the Standing Committee to be received on Friday next; and Bill to be printed as amended. (No. 118.)

NEWFOUNDLAND FISHERIES BILL.

[H.L.]—(No. 114.)

Reported from the Standing Committee without further Amendment: The Report of the Amendments made in Committee of the Whole House to be received on Friday next.

EVIDENCE BILL. [H.L.]—(No. 71.)

Reported from the Standing Committee with Amendments: The Report thereof to be received on Friday next; and Bill to be printed as amended. (No. 119.)

SAVINGS BANKS BILL.—(No. 88.)

COMMITTEE.

House in Committee (according to order).

Clause 1.

*LORD NORTON: My Lords, I cannot help thinking that this clause is worded in a most extraordinary way, which perhaps the noble Lord who is in charge of the Bill will explain. It begins by saying that trustees of savings banks

"May not be designated or described in any manner which imports that the Government is responsible or liable to depositors for money placed in the safe keeping of the Bank."

Who is to say what language imports Government liability? It is, I think, a very strange mode of enacting. And I should like also to ask whether a phrase of this sort will relieve the Government practically of any liability which rests upon it now? It seems to imply that the Government may be in some way implicated in the shape of liability, and that this is the only mode of rescuing the Government from it. If that is what it means, it seems to me to be a very impotent mode of rescuing the Government. Then there is another point which I would ask the noble Lord to explain in the second subsection of this first clause. It begins by saying—"If default is made in compliance with the requirements of this section." Does that mean that compliance with this Act causes default? That is what it implies. I suppose it means that if default is made by non-compliance with the section. It seems a very strange thing that an Act should be so framed that default shall take place "in compliance with its requirements."

*THE SECRETARY TO THE BOARD OF TRADE (Lord BALFOUR OF BURLEIGH): In reply to the noble Lord, I will take his last point first upon the words, "If default is made in compliance with the terms of this section." That, of course, refers to non-compliance with the terms of the section. As regards the other point, there is no liability on the part of the Government to make good deposits in Savings Banks when those deposits are lost through some mismanagement on the part of Trustees. But sometimes titles have been taken in the past which perhaps might not imply to educated persons that there was a liability on the part of the Government, but still have been used to mislead and delude the class of people who most use these Savings Banks into the belief that the Government is liable; and the desire is to make it clear in the future that these savings banks shall be so described as that the description cannot lead to that misunderstanding. With regard to the section which will enforce compliance with the rules, our chief object of this Bill is to enable the National Debt Commissioners (acting on the representation of a Committee which will be appointed under rules to be framed in accordance with the provisions of this Act), to enforce the provisions of the Act of 1863, which I understand they have never been able to do in the past.

*LORD NORTON: I suppose this Bill will go before the Standing Committee. If so, I shall venture to move an alteration according to the explanation which has

now been given, namely, that the Government shall be distinctly stated in the clause to be under no liability. That will, I think, be a better mode of relieving the Government from any false position they may be placed in, than by saying that the bank "shall not be designated in such a manner as to import liability" of the Government. I would also suggest that instead of saying, "If default is made in compliance with" the Act, the section should provide, if default is made by "non-compliance with" its terms.

*LORD BALFOUR OF BURLEIGH: As a matter of course, this Bill will go before the Standing Committee, and as I said, in moving the Second Reading of the Bill, I propose that the Bill shall not go to Standing Committee until after Whitsuntide. There are some verbal Amendments to be made in the clauses of the Bill, but I have purposely avoided putting them on Paper for this stage in order to leave them for Standing Committee. One Amendment which stands in my name for to-day deals, however, with a matter of considerable importance which it was thought right should be submitted to the consideration of the House. With regard to the proposed Amendments of the noble Lord who has just spoken, of course, if he gives notice for the insertion of words in substitution for those now in the Bill, I beg to assure him they shall receive due consideration.

Clause agreed to.

Clauses 2 to 10 agreed.

Clause 11.

*LORD STANLEY OF ALDERLEY: My Lords, the noble Lord in charge of the Bill is no doubt aware that two or three years ago an attempt was made in the other House to get the maximum amount of deposits in one year increased above £30. I do not think I need say anything about the advantage of increasing this amount in the interests of thrift. The reason I have put down £80 in this Amendment is simply because that is the sum fixed in France and Belgium, and *cæteris paribus* there ought I think to be a higher amount fixed in this country. It is in the interests of thrift that people, having small windfalls and legacies, should be able to put them into savings banks instead of spending them in drink, which is, I am afraid, what very generally happens. The chief difficulty which has been made is on the ground of the objections which might be raised by the small country banks. But I would point out that this Bill will extinguish a good many of the Trustee savings banks, and so will take away some of the competitors with those small country banks. Then, again, I do not think it can be said that the same class of persons use these Post Office Savings Banks and the country banks. The country banks are used generally by tradesmen and farmers and others who desire to keep current accounts; but these savings banks are for those who have no wish to keep current accounts, but simply wish to put their money by to increase. Therefore, I hope the noble Lord will be able to state that the Government will consider the advisability of increasing the maximum amount which may now be placed in these savings banks.

Amendment moved,

In page 6, at the end of the Clause, to insert: "((4.) After the passing of this Act the amount to be deposited in any one year in savings banks shall be eighty pounds instead of thirty pounds.")—(*Lord Stanley of Alderley.*)

*LORD BALFOUR OF BURLEIGH: My Lords, I am sorry I cannot accept this Amendment, and in a word or two I will state the reason why. Your Lordships are aware that there are two restrictions upon the deposits in these savings banks and in the Post Office Savings Banks. One restriction is upon the amount which may be deposited in the name of one individual. The total sum which may be standing in his name at the present time is, exclusive of interest, £150, and this may accumulate by interest up to £200. This Bill proposes to sweep away the difference between money deposited as capital, and money accumulated as interest, and to allow any one to deposit sums up to the total amount of £200. The other restriction is that no one may deposit more than £30 in the course of any one year. That is the restriction which the Amendment of the noble Lord is intended to sweep away, and he proposes at once to raise the sum which may be deposited in the course of any one year from £30 to £80,

that is very nearly trebling it. He pleads for this in the interest of thrift, as I understand it. If he could really have made out that this proposed alteration was called for in the interest of thrift, I am sure it would appeal not only to Her Majesty's Government, but to this House with very great force; but I venture to say that the class of persons who, as depositors, usually make use of these savings banks, and in whose interest the Government ought to act in such a matter, would probably very seldom indeed have the power of laying by more than £30 in one year. Now the noble Lord who moves the Amendment seems to have some idea of that, because he specially pleads for this proposal in the interest of those who have received what he terms windfalls or legacies. But those who do receive such legacies or windfalls may, and I venture to think ought rather to, take advantage of other provisions made for them, other conditions under which they may deposit and invest money. As your Lordships are aware, any one may now purchase Government Stock of the country in sums of £10 and upwards. If any one has a legacy which he wishes to lay by to provide for a time of distress, he cannot do better than purchase Consols, and he can do that either through these Trustee savings banks or the Post Office Savings Banks up to the amount of £100 in any one year. That is a much more efficient provision for his benefit, because he will get a higher rate of interest than he would if he simply deposited the money in the savings bank. Under these circumstances, and because, as I have already stated, I do not think the class of persons for whom these savings banks are intended would be likely to put by out of their earnings more than £30 in any one year, I cannot accept the noble Lord's Amendment. The noble Lord says that some years ago a proposal of this kind was made in Parliament. I may remind him that in the present Session a proposal was made in another place to raise the limit, not to £80 but to £60, and it was rejected by a large majority. Your Lordships will not, I imagine, in all the circumstances, think it desirable to alter the limit as it stands in the Bill, and I am quite unable to accept the Amendment.

*LORD STANLEY OF ALDERLEY: I withdraw the Amendment, as the statement of the noble Lord is so satisfactory with regard to the investments which can be made in Consols.

Amendment (by leave of the Committee) withdrawn.

*LORD BALFOUR OF BURLEIGH: There is an Amendment standing in my name which I move in pursuance of a pledge given in another place, and which pledge I repeated on the Second Reading of the Bill. It is intended to meet the case of depositors in savings banks who have had from some sudden emergency to draw out a considerable sum, and then find they do not require it or the whole of it. If this Amendment is not inserted the present law will remain that they cannot place in the savings bank more than £30 in any one year. The object of this Amendment is to allow money which has been drawn out in that way to meet an emergency to be replaced without its being counted to make up the limit of £30. They can do it only once in a year, which I think will sufficiently safeguard the other banks, and will prevent what is not really intended the use of these savings banks and of ordinary Post Office Savings Banks for the purpose of keeping current accounts. I believe this Amendment will meet with the approval of a great number of people, and I may say that I have received communications from many persons who are interested in the subject to that effect. I hope therefore your Lordships will agree to it.

Amendment moved,

In page 6, at the end of Clause 11, to insert "(4.) Notwithstanding any restriction on the amount to be deposited in any one year, a depositor in a savings bank may, not more than once in any savings bank year, deposit money to replace money previously withdrawn in one entire sum during that year. For the purposes of this provision the expression "savings bank year" means, with reference to Trustee savings banks, the year ending the 20th of November, and with reference to the Post Office Savings Banks, the year ending the 31st of December." —(*The Lord Balfour of Burleigh.*)

Amendment agreed to.

Remaining clauses and Preamble agreed to.

Bill re-committed to the Standing Committee; and to be printed as amended. (No. 120.)

REGISTRATION OF ELECTORS ACTS AMENDMENT BILL.—(No 95.)

Bill read 3ª (according to Order.)

LORD HERSCHELL: When this Bill was before the Standing Committee certain words which had been inserted in the other House were struck out, those words being—"As from the passing of the County Electors' Act, 1888." That was done at the instance of the County of Lancaster. On behalf of that county objection was offered to a provision being made that was retrospective; but I think I shall show your Lordships that really it ought to stand in the form in which it came up from the other House. It is an Act not purporting to create a new condition of things, but to resolve doubts by declaring what the law is. The result of the previous legislation was found to be this: that a borough might be called upon to pay part of the expenses of registration in the county, with which it had no concern, and even in cases in which those within the borough were not represented on the County Council because they were a county in themselves. That was found to be a great hardship, and the view taken by the Local Government Board was that that was not the law. They said it had never been so intended, and they advised that the payments should not be made. Other learned persons, however, were of opinion that it was the law, and, consequently, there being that doubt, this Bill was introduced. In the other House, with the assent of the President of the Local Government Board, it was made a declaratory Act, so that it should not deal with the matter as though the enactment were made for the first time, but it declared that that was the law, and that it should take effect as from the passing of the Act—that it was no more than expressing the intention of the Local Government Board, and that it produced the effect which they considered was the effect of the legislation they had introduced. Some point has been raised in the other House as to its being competent to your Lordships to deal here with the matter in the way in which it has been dealt with, inasmuch as it trenches upon a subject of taxation and imposes a burden where it would not otherwise fall; but I need not go into that now. These matters were not before the Committee, inasmuch as the proposal was made somewhat suddenly, and without having in view all its possible effects. I therefore beg to move this Amendment, which is simply to replace the Bill in the condition in which it was when it came from the other House.

Amendment moved, in page 1, line 27, after ("shall") to insert ("as from the passing of 'the County Electors Act, 1888.'")—(*The Lord Herschell.*)

Agreed to.

Bill passed, and returned to the Commons.

House adjourned at Six o'clock, to Friday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 5th May, 1891.

QUESTIONS.

RUPEE RATE OF EXCHANGE.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for India why the rate of exchange for the rupee was paid on 1st April for the ensuing five months in respect to payments to those belonging to the Home Establishment in India at 1s. 6½d., when the market value was not more than 1s. 5¼d.?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): In reply to the question of the hon. Member, I have to say that the Secretary of State, notwithstanding the assistance of his financial advisers, has been unable to understand the meaning of the hon. Member's question. But perhaps it may possibly be sufficiently answered by reminding the hon. Member that a rate is fixed for all transactions for the ensuing year, irrespective of the fluctuations of the market. The fixed rate for 1891-2 is 1s. 6½d.

MR. LABOUCHERE: I think the right hon. Gentleman has scarcely done justice to the noble Lord the Secretary of State, who must have perfectly well understood my question.

THE MANIPUR DISASTER.

MR. CREMER (Shoreditch, Haggerston): I beg to ask the Under Secretary of State for India if he can now state whether an attempt was made, or intended to be made, by the Chief Commissioner to capture the Jubraj at Manipur in case he attended the Durbar to which he had been invited; and whether such attempt was the cause of the massacre which followed; whether the Chief Commissioner ordered the attempt on his own authority, or if he received his authority from the Indian Government; whether any record has been kept of the exact orders which the Chief Commissioner received; and when the Government will lay before Parliament a complete copy of such orders?

*SIR J. GORST: I have been directed by my noble Friend the Secretary of State to answer the question as follows: — "The best answer I can give to the question is to say that I have just laid on the Table all the Despatches relating to Manipur, and they will be printed and circulated as speedily as possible." The Secretary of State has been waiting for a further Despatch which arrived this afternoon.

MR. CREMER: Do I understand the right hon. Gentleman to state to the House that he is not in a position to express any opinion upon, or to give any answer to, the questions which I have put upon the Paper?

*SIR J. GORST: I have given the reply to the question of the hon. Member which I was directed by the Secretary of State to give; and I can add nothing to that reply.

MR. CREMER: Then I will repeat the question to-morrow and every day until I get a distinct answer.

THE BUDGET SURPLUS—APPLICATION OF THE SCOTTISH PORTION.

SIR G. TREVELYAN (Glasgow, Bridgeton): I beg to ask the Chancellor of the Exchequer, with reference to his statement that the Government were anxious to ascertain the views not only of the Scotch Members but of the Scotch people as to the disposal of the grant to be made to Scotland as the equivalent to the educational grant to England, will he kindly indicate in what way he would desire or expect these views to be expressed other than, or in addition to, the expression which has been already given to them by the deputation of representatives of the ratepayers in all the largest centres of the country, which waited on him on the 24th ultimo, and in the communications which have since been addressed to him on behalf of the deputation, intimating the adhesion to the views it urged of numerous Municipal and Parochial Authorities in all parts of Scotland?

MR. HUNTER (Aberdeen, N.): I wish to ask whether it is not the fact that only a very few members of Parochial Boards are elected, and that the great majority of them are landlords, or the agents of landlords, and that relief to the poor rate would mean that half would go into the pockets of the landlords?

MR. BUCHANAN (Edinburgh, W.): I beg to ask the Chancellor of the Exchequer whether, in the disposal of the Scottish share of the grant under the Budget, he will give priority to the demand widely felt by all classes in Scotland, that it is urgently necessary that the system of Free Education established in the public schools of Scotland should be completed by setting aside a sum sufficient to free all the standards in these schools?

MR. PARKER SMITH (Lanark, Partick): I beg also to ask the Chancellor of the Exchequer, with reference to his statement that the Government were anxious to ascertain the views not only of the Scottish Members but of the Scottish people as to the disposal of the grant to be made to Scotland as the equivalent to the educational grant to England, what will be the approximate amount of that equivalent; whether strong representations have been received by the Government from important bodies in Edinburgh, Glasgow, Aberdeen, Dundee, Govan, and other places in favour of devoting a portion of that sum to the organisation of higher education throughout Scotland on the lines indicated by the Lord Advocate in his speech in the House of Commons on

3rd February last; whether he has received strong representations from the Scottish University Commissioners that they will be unable, without a further annual grant, to carry out the policy of the Scottish University Act of 1889; and whether, after meeting the requirements of higher education and of the Universities, there would remain a very considerable sum to hand over to the Local Authorities?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The question put to me by the hon. Member for Aberdeen (Mr. Hunter) is rather an argumentative one, and perhaps the hon. Member is in a better position to obtain accurate information on the subject than I am. I will answer the three questions of the right hon. Baronet, the Member for the Western Division of Edinburgh (Mr. Buchanan) and the hon. Member for the Partick Division of Lanarkshire (Mr. Parker Smith) together, but I have, in fact, scarcely anything to add to my reply of yesterday. I think it is scarcely necessary to indicate in what way I should desire or expect views to be expressed other than, or in addition to, the expression which has already been given by sundry deputations and Memorials. Various communications continue to pour in, and the Scotch public, I feel confident, will find the means to make itself heard without any advice from me as to what those means should be. The hon. Member for Edinburgh now knows that it is impossible for me to pledge myself, directly or indirectly, to the satisfaction of the demand which he declares to be widely felt by all classes in Scotland, but which other hon. Members practically declare to be equally, or even more strongly, felt with regard to other applications of the money at the disposal of Scotland. In reply to the hon. Member for the Partick Division, the amount to be paid over, when the schemes under consideration apply to a full financial year, will be a little more than £200,000. Representations have been received, of the nature to which he calls attention, from many important places in Scotland; but I am not prepared to say that they have been on the lines indicated by the Lord Advocate in his speech on February 3 last, as my right hon. Friend did not indicate any special lines on which we were to proceed. I cannot undertake to say whether, after meeting the requirements of higher education and of the Universities, there would remain a considerable sum to hand over to the Local Authorities, as the requirements of higher education seem to me to be of the most extraordinary elasticity.

THE RESERVE MERCHANT CRUISERS.

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty whether the Reserve Merchant Cruisers, for which £60,306 9s. 10d. is required for the current year, have yet been fitted and equipped with their intended armament; if not, would he explain why, before completing for active service the vessels already subsidised, he proposes to augment the number, thereby involving an increase of £18,150 for the current year, besides a still further annual increase on the completion of three vessels now building for the Canadian Pacific Company; will he state the nature of the armament with which the ships are to be fitted, the time that will be required to complete the same, and how they are to be manned during peace and war; if the Commanders, Officers, and crews are members of the Naval Reserve, or whether it is true that some of the ships are manned by Lascars; and whether any of the vessels are engaged in the Postal Service; and, if so, does the contract enable the Government to utilise them, in the event of an emergency, without the payment of a subsidy?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The necessary structural alteration and arrangements for the armament have been made in the subsidised reserve vessels, and it is estimated that they could be ready for sea as armed cruisers in eight days. The armament for six of these vessels is four 5in. breechloading and eight 7in. muzzle-loading guns, besides machine gun armament; for the remaining eight ships 12 4·7in. quick-firing guns and a machine gun armament. They would be manned partly by the officers and men of the active naval service and partly by Naval Reserve officers and men, each ship carrying as part of her ordinary complement a considerable number of Naval Reserve officers and men. All the vessels engaged are in the Postal Service, and the contract with

the Post Office does not enable the utilisation of the vessels in an emergency without a subsidy.

THE SOUTH AFRICA COMPANY.

MR. LABOUCHERE: I beg to ask the Under Secretary of State for the Colonies whether he is aware that, by the Charter granted to the South Africa Company (Article 25), it is stated that, within one year from the formation of the company, a deed of settlement shall be executed by the company, providing for (amongst other things)—(v.) The registration of members of the company, and the transfer of shares in the capital of the company; whether he is aware that, in the deed of settlement which has been executed, this obligation has not been executed; and whether he will cause it to be executed?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The hon. Member appears to have overlooked Articles 10 to 13 and 27 to 35 of the Deed of Settlement, which, in the opinion of Her Majesty's Government, constitute a sufficient compliance with the Article of the Charter to which he refers.

MR. LABOUCHERE: Am I to infer that the right hon. Gentleman is not prepared to give the Returns specified in the Charter and ordered to be given?

BARON H. DE WORMS: No, Sir; I do not think the hon. Gentleman ought to infer that; but he ought to infer that he has overlooked certain Articles in the Deed of Settlement which makes provision for a case of this kind.

MR. LABOUCHERE: Is there any provision made for the non-registration and transfer of shares in the company?

BARON H. DE WORMS: Yes, Sir; that is met by the Articles to which I have referred.

COBRIDGE NATIONAL SCHOOLS.

MR. LABOUCHERE: I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to the fact that Mr. James Boyce has been dismissed from the Mastership of the Cobridge National Schools, and that, on inquiring of the vicar of the parish why he was dismissed, he was informed that he did not take sufficient interest in his religious duties, and that the committee did not like his connection with the football club because it played matches on Good Friday and Christmas Day; and whether it is intended to take official notice of this dismissal?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): So far as I can learn, no information with respect to the allegations contained in the question has reached the Department; but I must point out to the hon. Member that the Department is not a party to the contract between a teacher and the managers of a school, and questions arising upon that contract can only be determined by a Court of Law.

SEVERE SENTENCE.

MR. LABOUCHERE: I beg to ask the Secretary of State for the Home Department whether his attention has been called to the fact that John Tolley was charged, on 21st April, with having stolen a football, before the Police Court of Halesowen, and that, although there seems to have been no conviction, the Bench ordered the boy to be sent to an industrial school for five years; and whether the Bench has legal power to make this order?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I have received a Report from the Justices, from which I learn that the facts are as stated, the Bench exercising their legal powers under the 15th section of the Industrial Schools Act, 1866, a section which seems to me to have been expressly framed to save the necessity of a conviction in a case like the present, where the evidence showed that the boy was a constant truant from school, and was not under proper management at home.

OLD COUPLES IN WORKHOUSES.

MR. ELLIOTT LEES (Oldham): I beg to ask the President of the Local Government Board whether Boards of Guardians are now obliged by law to permit husband and wife when over the age of 60 to live together, unless they themselves desire to be separated; and, if so, what steps have been taken by the Local Government Board to enforce the law?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The 10 & 11 Vict., cap 109, provides that when any two persons being husband and wife and above the age of 60 years are received into any workhouse, they shall not be compelled to live separate and apart from each other in such workhouse. The Local Government Board have from time to time drawn the attention of Boards of Guardians to this provision. The last Circular Letter on the subject was dated the 3rd November, 1885. If in any case I receive any intimation that the law in this respect is disregarded by a Board of Guardians the matter would receive my attention.

MR. A. O'CONNOR (Donegal, E.): Will the right hon. Gentleman take steps to see that the pauper inmates are themselves made acquainted with their rights in this particular?

*MR. RITCHIE: I believe that a notice to the effect I have stated is given in workhouses.

SECOND DIVISION CLERKS.

MR. KELLY (Camberwell, N.): I beg to ask the Chancellor of the Exchequer if he will explain why no decision has yet been arrived at with reference to a number of Second Division Clerks who have been recommended by the heads of their various Departments for exceptional promotion to the higher grade of that Division under paragraph 2, of Clause 6, of the Order in Council of 21st March, 1890, although the recommendations in the cases of some of such meritorious Second Division Clerks have not been before the Treasury for nearly a whole year; and whether the delay on the part of the Treasury in sanctioning such recommendations is due to the fact that they have all to be considered by the Permanent Secretary of the Treasury; and, if so, whether, in view of the fact that the work of the Permanent Secretary is so exceptionally burdensome, he will take into consideration the question of the advisability of placing the duty of dealing with the recommendations of Second Division Clerks for promotion in the hands of some other official, or at any time associate somebody else with the Permanent Secretary in the matter?

MR. GOSCHEN: In reply to the first part of the hon. Member's question, I beg to say that any complaints of delay with reference to recommendations made by heads of Departments to the Treasury should come either from those heads themselves or from the Ministers who are responsible for those Departments, and would receive my immediate attention. With regard to the second question, I am myself responsible for the work of the Treasury being properly done and for the distribution of the work amongst the various officers of the Department, and I am not prepared to discuss with the hon. Member the best means of giving quick despatch to its business.

H.M.S. *SANS PAREIL*—THE 110-TON GUNS.

ADMIRAL MAYNE (Pembroke and Haverfordwest): I beg to ask the First Lord of the Admiralty if he can state when the *Sans Pareil* will be ready for service?

*LORD G. HAMILTON: One of the *Sans Pareil's* 110-ton guns was rejected two months ago, after a series of exhaustive trials; since then another 110-ton gun for the same ship has passed proof in a thoroughly satisfactory manner, and has been mounted on board. The ship is practically ready for service, with the exception of a few minor fittings, and the trials of the gun mountings have been satisfactorily completed. I may add that I have just received the official Report of the prize-firing practice with the 110-ton guns of the sister ship *Victoria*, steaming at speed past the target. The captain of the *Victoria* reports that eight rounds were fired, the average interval between two rounds being only 3min. 5sec., and that the practice altogether was very satisfactory, two hits being made, and the other rounds very near the target.

THE BEER AND SPIRIT DUTIES AND TECHNICAL EDUCATION.

MR. O. V. MORGAN (Battersea): I beg to ask the Vice President of the Committee of Council on Education what counties and county boroughs have applied the contribution made from the Beer and Spirit Duties to technical education towards the reduction of local rates?

SIR W. HART DYKE: Only two counties (London and Middlesex) and one county borough (Wolverhampton), so far as I am aware, have applied their quota in relief of rates.

THE BOER TREK.

MR. O. V. MORGAN: I beg to ask the Under Secretary of State for the Colonies whether his attention has been directed to the *Globe* of Monday, wherein it is stated—

"President Krüger finds himself unable to check the Boer trek, owing to the fact that they number 20,000 instead of, as formerly reported, only 5,000. President Krüger, although entirely favourable to British interests, finds himself powerless to check the movement;"

and whether he has any information as to the truth of this statement; and, if so, what action Her Majesty's Government propose to take?

BARON H. DE WORMS: Her Majesty's Government have received from the High Commissioner, with whom they are in constant communication, no information confirming the statement referred to.

WORKS OF RAPHAEL.

MR. JOHNSTON (Belfast, S.): I beg to ask the First Lord of the Treasury whether he is aware that there are at present being exhibited in London seven cartoons, purporting to be designed and executed by Raphael for the Vatican Tapestry; whether these cartoons, discovered in Russia, have been examined by experts and their authenticity inquired into; and whether, if they are found to be genuine works of Raphael, he will consider the expediency of purchasing them for the British nation?

*THE FIRST LORD OF THE TREASURY (MR. W. H. SMITH, Strand, Westminster): The Director of the National Gallery has examined the cartoons, or rather paintings on canvas, ascribed to Raphael, and now on exhibition at 4, Cockspur Street, and he does not recommend that they should be purchased for the nation.

DR. TANNER (Cork Co., Mid): What about their authenticity?

[No answer was given.]

THE EIGHT HOURS BILL.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the First Lord of the Treasury if he can see his way to fix a day for the discussion of the Eight Hours Bill?

*MR. W. H. SMITH: If the hon. Gentleman has followed the course of Public Business he will see that it is not in the power of the Government to name a day for the discussion of the Eight Hours Bill.

ROYAL IRISH CONSTABULARY.

MR. T. M. HEALY (Longford, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland is the Inspector General, Royal Irish Constabulary, aware that the Kildare force complain that their County Inspector is in the habit of not forwarding him their letters of grievance; does the County Inspector admit detaining complaints; and will any irregularity in this respect be remedied?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Inspector General of the Royal Irish Constabulary has been in communication with the County Inspector of Kildare, and is satisfied that no ground exists for the suggestion contained in this question, nor has any complaint been received from the County Force on the subject.

MR. CULLINANE'S IMPRISONMENT.

MR. T. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that Mr. John Cullinane, of Bansha, whose sentence of six months' imprisonment for the alleged Tipperary conspiracy has just expired, is so seriously ill that he cannot be discharged from Tullamore Gaol; when did Mr. Cullinane get ill; how long, and how often, has he been in hospital; what is he suffering from; why did not the doctor, when he found the prisoner getting debilitated, at once recommend his discharge; and what is Mr. Cullinane's present condition?

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Governor of Tullamore Prison has informed the friends of Mr. John Cullinane, P.L.G., of Bansha, that Mr. Cullinane cannot be released at the expiration of his term of imprisonment from Tullamore, in consequence of Mr. Cullinane's serious illness; what is the nature of this illness; what is the

latest Report of Dr. Moorhead upon the same; and are Mr. Cullinane's friends allowed to send his own medical adviser to visit him?

MR. A. J. BALFOUR: I have received a telegram stating that the Prisons Board report as follows:—

"The Governor of Tullamore Prison was instructed by the medical member of the Board who visited the prison on the 1st and 2nd inst. to inform Mr. Cullinane's relatives of his condition, and the Board have evidence that his friends are aware of his illness, application having been made to-day for permission for them to see him, which has been granted. The illness is severe influenza, from which other prisoners and warders are also suffering, and of which we are informed there are several cases in the town of Tullamore. The Board are not aware that Dr. Moorhead has seen these prisoners since their illness. The Governor has permission to admit the prisoner's own medical adviser in consultation with the prison medical officer."

MOVEMENTS OF THE CHANNEL SQUADRON.

MR. T. M. HEALY: I beg to ask the First Lord of the Admiralty whether the order for the Fleet to visit Castletown Berehaven has been countermanded; and, if so, why?

*LORD G. HAMILTON: The Channel Squadron are at present ordered to remain at Arosa Bay until further orders. They were to have left on the 1st of May for Berehaven. If they visit Berehaven I will take care to let the locality know in advance, as I am aware that considerable inconvenience arises if a large fleet without notice puts into a place with only limited supplies.

CLONMEL GAOL.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether prisoners who suffer from epilepsy, and whose condition is known to the prison doctor in Clonmel Gaol, are still confined in ordinary cells in that prison?

MR. A. J. BALFOUR: The General Prisons Board ask that this question may be deferred, local inquiry being necessary.

CORK MAILS.

DR. TANNER: I beg to ask the Postmaster General when it is proposed to run a mail car from Inchageela and Ballingeary to Macroom, in the County of Cork; and what postal arrangements are proposed to be made at Kilbarry, near Inchageela?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): Both the subjects to which the hon. Member refers are under inquiry, and I am in daily expectation of receiving the information necessary to enable me to decide upon them.

IRISH CHRISTIAN BROTHERS.

MR. FLYNN (Cork, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Government is still determined to refuse the claims of the Irish Christian Brothers to some participation in the public funds provided for primary education in Ireland; whether he is aware that this Order of teachers possess over 70 establishments in Ireland, and educate 40,000 children of the working classes, and that the Royal Commissions of 1854 and 1868 reported most favourably of their system of education and its results; whether his attention has been drawn to the fact that the Brothers do not object to the inspection and examination of their schools, nor do they object to submit the schools and the results of the teaching to open and public competition; and whether, in view of the immense services rendered to the cause of primary and intermediate education by the Brothers, he is prepared to make some recommendation on their behalf to the proper authorities?

MR. A. J. BALFOUR: The subject-matter of this question was fully dealt with in my reply to a similar question put on the 19th of May, 1890. As I then pointed out, various Orders of Monks, including the French Order of Christian Brothers, find no difficulty in taking advantage of the public grants and putting themselves under the general regulations of the National Education Board, and I therefore do not see that it is necessary to make a special modification of the rules in favour of one Monastic Order.

In answer to Mr. SEXTON,

MR. A. J. BALFOUR said: I have no doubt the Christian Brothers did excellent work before the national system of education was developed, but I do not know that that ought to modify the general policy of Parliament.

PRIVATE BILL PROCEDURE (SCOTLAND) BILL.—(No. 114.)

Report from the Select Committee, pursuant to Instruction, brought up, and read;

Report to lie upon the Table, and to be printed. (No. 226.)

Minutes of Proceedings to be printed. (No. 226.)

MOTION.

MEMBERS' RESIGNATION BILL.

On Motion of Sir Henry James, Bill to enable Members of the House of Commons to resign their Seats, ordered to be brought in by Sir Henry James, Sir John Mowbray, Mr. Dillwyn, and Mr. Asquith.

Bill presented, and read first time. [Bill 318.]

ELEMENTARY EDUCATION (STANDARDS OF EXEMPTION).

Address for—

"Return of number of School Boards and School Attendance Committees in which the standards for partial exemption are Standards II., III., and IV., respectively, and in which the standards for total exemption are respectively Standards IV., V., and VI., arranged in the following form:—

	Standards for Half Time.			Standards for Full Time.		
	II.	III.	IV.	IV.	V.	VI.
School Boards						
School Attendance Committees ..						
Total						

—(*Mr. Summers.*)

ORDERS OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 5.

(4.5.) THE CHAIRMAN: The first Amendment, which stands in the name of the hon. Member for Sunderland (Mr. Storey), is out of Order. The principle with which it deals was disposed of last night on the Amendment which stood in the name of the hon. Member for West Belfast (Mr. Sexton).

MR. STOREY (Sunderland): I wish to say a few words on the point of Order. As I understand your ruling, Mr. Courtney, it is that the principle of the Amendment which I propose to move has already been decided by the Division which took place last night on the Amendment of my hon. Friend the Member for West Belfast. We are in this unfortunate position: that the Amendment of my hon. Friend was not upon the Paper, but was one of four Amendments, which were consequential. I have obtained the manuscript from my hon. Friend, and will state to the Committee what his Amendment was. In substance it was this: that the Insurance Fund should be exacted not during each of the first five years, but in each alternate year in a period of 10 years, or upon the 1st, 3rd, 5th, 7th, and 9th years; and that that Insurance Fund should be £4, *plus* 8s., per cent. on the amount of the advances. The point I desire to submit now is this: I do not

raise the question of the departure from the Government rule of insurance during the first five years, which was the main point pressed on the Committee by my hon. Friend, but admitting that there is to be a self-acting and equal insurance, I wish the Committee to consider now an Amendment in excess of the proposal of my hon. Friend for a self-acting and equal distribution of insurance. That I submit, as a point of order, is a debateable question.

THE CHAIRMAN: The principle of insurance contained in the clause is what I may term a diminishing or vanishing scale according to the number of years' purchase, so that the premium accumulated may gradually come to nothing. The Amendment of the hon. Member for West Belfast proposed a uniform scale of 10 per cent. The Amendment was not printed, but it was explained by the hon. Member. He said that he was not bound by any particular number of years, or any particular data, but the essence of his proposal was 10 per cent.

MR. STOREY: After five years.

THE CHAIRMAN: The principle of the Amendment of the hon. Member for Sunderland was decided by the Division on the Amendment of the hon. Member for West Belfast.

(4.10.) MR. SEXTON (Belfast, W.): My Amendment was an attempt to lead up to several other Amendments intended to bring about a universal rate of insurance, to be imposed in the course of a term of years. The term of years is now five, but my hon. Friend the Member for Sunderland (Mr. Storey) suggests not the insurance I proposed, but one which will extend over double the number of years.

THE CHAIRMAN: The Division took place upon the question whether there should be a uniform period, and that is precisely the point raised in the Amendment of the hon. Member for Sunderland.

MR. STOREY: I accept your ruling on that point, but it was agreed that the term is to be five years at a sum of 8s. per cent., and I ask whether you also rule that it is incompetent for me to move an Amendment increasing that sum?

THE CHAIRMAN: It was open for the hon. Member to raise that point before the decision of the Committee was arrived at.

MR. SEXTON: As the insurance is now left, it is from a vanishing point to a high point; and I would ask whether it is not open to any hon. Member to move an Amendment fixing the rate at a uniform scale.

THE CHAIRMAN: I am not aware of any means by which that can possibly be done now; and the Amendment which stands on the Paper in the name of the hon. Member for Londonderry (Mr. Lea) to insert "sixty-five per cent." instead of "eighty per cent." would be inconsistent with the decision already arrived at.

MR. STOREY: May I take your ruling upon a further point? Suppose I make my Amendment read "enhanced by a payment of one-fifth on each of the annual balances," would that be out of order?

THE CHAIRMAN: Yes; I think that would be the same Amendment.

(4.15.) MR. CHANCE (Kilkenny, S.): Then I beg to move the Amendment which stands in my name to leave out, in line 40, the words "on application."

MR. STOREY: I rise to order. I wish to propose, before we come to that Amendment, if my hon. Friend will permit me, the omission of the words "eighty per cent.," in order to raise a discussion which I think it is extremely necessary to raise.

THE CHAIRMAN: What does the hon. Member propose to substitute?

MR. STOREY: I have considered that point, and I propose to substitute words that will read in a different way. First of all, I propose to omit the words "eighty per cent." so as to raise the whole question, and I desire to point out how unfair the clause is as it stands.

THE CHAIRMAN: All that question was debated last night, and the difference between a vanishing premium and a fixed premium was fully discussed. The Committee decided against the suggestion that there should be a uniform rate.

MR. STOREY: But the Committee did not decide that the annuity should be 80 per cent. of the annual value.

THE CHAIRMAN: Again I ask what does the hon. Member propose to substitute? He cannot, consistently with what has already happened, make it less?

MR. SEXTON: Would it not be possible to insert "seventy-six," which would be the normal annuity?

MR. STOREY: I would venture to propose that it should be 80 per cent. when it is 19 or 20 years' purchase, and 75 when it is 18 years', and so on; and for that purpose I desire to move the omission of the words "eighty per cent."

THE CHAIRMAN: The hon. Member must propose something consistent with what has gone before. If the hon. Member will submit his Amendment, I will consider whether it will be in order.

MR. STOREY: I will draw up the terms of my Amendment.

(4.18.) MR. SEXTON: While my hon. Friend is preparing his Amendment, I will move to leave out "eighty per cent." for the purpose of inserting "seventy six per cent." I submit that with an annual payment of £3 16s. an insurance of £1 may be as easily dispensed with in a case of 19 years' purchase as it has already been dispensed with under compulsion from the Government in the case of 20 years' purchase. The scale has been well described as a vanishing scale. It certainly does vanish at one end; and I would suggest that the vanishing scale should begin at 19 years. A man who buys at 10 years would have to pay a sum equal to his purchase annuity, and in five years would pay up to the rent.

Amendment proposed, in page 5, line 37, to leave out the word "eighty," and insert the words "seventy-six."—(*Mr. Sexton.*)

Question proposed, "That the word 'eighty' stand part of the Clause."

(4.20.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The hon. Member appears to support this Amendment by the argument that the amount of insurance is so small that it may be almost disregarded. By a system of Amendments of this nature, we might gradually destroy the whole scheme, the principle of which I think the Committee accepted last night. I hope the hon. Member will be satisfied if I remind him of the arguments in which I have pointed out, that 80 per cent. is a fair amount to ask the tenant to pay, and 20 per cent. a fair reduction.

(4.21.) MR. STOREY: The Amendment of my hon Friend is one step in advance. The Insurance Fund which the right hon. Gentleman proposes bears hardest on those who buy at low rates, and easiest upon those who buy at high. I submit that the effect of that would be to discourage purchase at low rates and to encourage the idea that the purchase ought to be at high rates. If the right hon. Gentleman will take the figure of £5 annual value, and estimate the cost of 10 years' purchase, 12 years, 16, 17, and 19 years' purchase, he will see that the effect will be that in five years the man who bought at 10 years' purchase would have paid into the coffers of the right hon. Gentleman £10 insurance; the man who bought at 12 years would have paid £8, 15 years' purchase £5, 16 years £4, 17 years £3, 18 years £2, and 19 years' purchase only £1. The right hon. Gentleman says that whatever the number of years' purchase may be, he assumes that it is a fair term; but by the figures I have given, the right hon. Gentleman will see that if one term is fair the other must be unfair, according to the amount of insurance paid. For my own part, I wanted to propose a self-acting scheme by which the insurance would bear a fair proportion to the purchase money, and every man would have to pay his fair share.

THE CHAIRMAN: The hon. Gentleman is simply delivering a speech prepared for an Amendment which I have ruled to be out of order.

MR. STOREY: I admit that the speech was prepared, and I think it is unanswerable. However, I will not pursue the matter further at the present stage. At the same time, I hope that the right hon. Gentleman the Chief Secretary will reply to the arguments which I have brought forward. On this side of the House we are making a stand because we consider that the effect of the clause will be to increase the price of Irish land, and to encourage the idea that 10 years' purchase is not, but that 18, 19, and 20 years' purchase is the normal price. At a later stage we hope to move the adoption of an insurance

scheme which shall apply equitably to all tenants.

(4.25.) Mr. SEXTON: The right hon. Gentleman has certainly shown no cause why the same provision in regard to persons who pay at 20 years' purchase should not be extended to those who buy at a lower rate and why this slight relief should not be afforded to the tenant at the lower end of the scale.

The Committee divided:—Ayes 158; Noes 91.—(Div. List, No. 182.)

(4.39.) Mr. CHANCE moved an Amendment to strike out the words "on application," which make it necessary for the tenant who desires a reduction of the annuity at the end of the first five years to make an application for that purpose to the Land Commissioners. The hon. Gentleman said: In the case of the larger tenants they will know very well how to look after their own affairs, but I am afraid that although it will probably not be very great, there will be a certain amount of expense attached to this application, which will be a hardship upon the poorer tenants. My object in moving the omission of the words "on application" is to make the action of the clause automatic.

Amendment proposed, in page 5, line 40, to leave out the words "on application."—(*Mr. Chance.*)

Mr. A. J. BALFOUR: This is the first time I have ever heard it suggested that the Irish tenants have any difficulty in asking for a reduction of rent.

Mr. CHANCE: I did not suggest difficulty in that, I said the right hon. Gentleman was going out of his way gratuitously in order to insult these people and put them to wholly unnecessary expense.

Mr. A. J. BALFOUR: I am not insulting them.

Mr. CHANCE: The right hon. Gentleman need not have commenced by sneering at them.

Mr. A. J. BALFOUR: As to the expense it is absolutely nothing; a simple letter sent through the penny post will be all that is necessary.

Mr. KNOX (Cavan, W.): I certainly think my hon. Friend's observations deserve some better answer than the Chief Secretary has given. He might give some reason for the inclusion of these words and shown how benefit is to be derived from them.

(4.45.) Mr. A. J. BALFOUR: I am sorry the hon. Gentleman thinks my answer insufficient. The whole question before the Committee is, which way does the presumption lie? Is the presumption that the tenants will be in favour of paying the 80 per cent. for a longer period than five years? I am distinctly of opinion that the presumption is in favour of a desire on the part of the tenants to continue to pay the 80 per cent., and so become the proprietors of their holdings as soon as possible. I should like to make it clear on the face of the Bill that the tenants would be well advised to continue paying the 80 per cent. as long as possible.

Mr. CHANCE: May I point out the absolute absurdity of the clause. It provides for the payment of the 80 per cent. during the first five years, but there is no solitary provision by which the tenant is enabled to go on paying the abnormal annuity for more than five years. This is a phantom obligation put on the tenant at the end of five years, and I shall certainly divide the Committee against it.

*Mr. WEBB (Waterford, W.): The question is not what the tenant ought to do, but what he is most likely to do. I do not think that the onus of making the application should be thrown on the tenant. If the right hon. Gentleman persists in retaining these words it will only be another indication of his determination to carry his Bill through as it stands quite irrespective of the views of the Irish Members.

*Sir J. M'KENNA (Monaghan, S.): I do not see any hardship in retaining these words. It would no doubt be a very good thing for the tenants to go on paying the 80 per cent. as long as possible, so as to ensure their earlier enfranchisement, but surely if they want to reduce the payments they ought to make the necessary application. I shall vote for the retention of the words.

*(4.50.) The ATTORNEY GENERAL for IRELAND (Mr. Madden, Dublin University): The Government think it necessary that these words shall be retained.

Mr. CHANCE: I shall be willing to withdraw my Amendment if the hon.

and learned Attorney General will agree that the application shall be made in some simple shape and form, and shall not be of a complicated nature.

*MR. MADDEN: That is a mere matter of drafting which is covered in Sub-section 2.

MR. CHANCE: Am I then to understand some provision has been or will be made so that the application shall be informal and the tenants not put to any expense?

*MR. MADDEN: Of course the Government cannot pledge the Land Commission, but I will say that I cannot conceive that the Land Commission would fail to make the procedure as simple as possible.

MR. CHANCE: Upon that I withdraw my Amendment.

Amendment, by leave, withdrawn.

(4.56.) MR. SEXTON: I beg to move the omission of the word "thirty" in this sub-section. The scheme of the right hon. Gentleman is that there shall be a special charge for the first five years in respect of the 4 per cent. on the purchase money, but that the tenant shall get no relief with regard to the annuity until 30 years have elapsed. You treat the landlord and tenant differently. At the end of 18 years you give the money back to the landlord, but you keep the tenant's money back for a longer period of 12 years. We have heard a great deal about the tenant's anxiety to become the absolute owner of his holding, but I venture to think that by the course you are taking under the Bill he will never be able to achieve that ambition. The fact is that if you retain this money for 30 years the tenant himself will never reap the benefit of the insurance money, and I propose to give him relief in that respect by substituting "eighteen" for "thirty" years.

Amendment proposed, in page 5, line 42, to leave out "thirty," and insert "eighteen."—(*Mr. Sexton.*)

*(5.0.) SIR J. M'KENNA: I hope that the Government will give way on this point, for such a concession would very much expedite matters.

MR. T. W. RUSSELL (Tyrone, S.): I think it a pity the same measure of justice should not be meted out to both landlord and tenant. If the landlords are to be entitled to the Return of their Guarantee Fund at the end of 18 years, similar consideration should be shown for the tenant.

MR. J. CHAMBERLAIN (Birmingham, W.): I think, unless I misunderstand the matter, that there is something to be said for the Amendment, because the clause will not work as it stands. If there should be a small number of years' purchase, say, 10 years, in such case the whole purchase-money will be paid off before the expiry of 30 years, and it will be necessary to make provision for that. There will be a considerable number of cases where the whole money will be paid off by the continuing annuity calculated at the rate of 4 per cent. for 30 years. Then on the point of policy, the present seems to be one of those cases where it is desirable to give the tenant an early hope of improvement in his position. At the end of five years he is to have one advantage, and if at the end of a further period, say, 20 years, he can have a second advantage, before the time comes when he is absolute owner, it will be a good thing in itself.

(5.5.) MR. A. J. BALFOUR: I doubt whether, in point of drafting, the objection that the clause will not work as it stands is well founded, because by referring to the sub-section towards the end, it will be seen that the annuity is made to cease "at such period before the end of the term of the annuity as may be provided by the prescribed Tables, so as to replace the advance with interest," &c. I think, therefore, the clause will work as it stands because, if a man is paying a large Insurance Fund until his loan is paid off, there is provision for bringing the whole transaction to an end. I am desirous, however, to meet the suggestion of the hon. Member, supported as it has been from several parts of the House. The argument I confess strikes me with great force that the ordinary purchasing tenant cannot, as the matter stands, expect to see any future improvement in his position during the course of his natural life. I agree with the hon. Gentleman and the right hon. Gentleman that that is perhaps a hard case, and that it will be an advantage to shorten the term during which an improvement in his position may be expected. I am disposed therefore to

accept the Amendment in principle. I would suggest to the hon. Member for West Belfast if 20 years would not be a more convenient term than 18 years.

MR. SEXTON: As the tenants will be well aware, the landlords get their money back at the end of 18 years. I think it would only create a feeling of dissatisfaction if we differentiate between the two cases.

Amendment agreed to.

(5.10.) MR. CHANCE: I have to move the next Amendment standing in my name.

Amendment proposed, in page 5, line 42, to leave out "on application."—(*Mr. Chance.*)

MR. A. J. BALFOUR: No doubt there will be cases in which the tenant will get no present relief; but still I hold it would be far better for him to continue paying the higher rate of annuity as long as possible, for he will then become the owner of the land all the sooner.

Amendment, by leave, withdrawn.

MR. SEXTON: With regard to the next Amendment, may I point out that in the Bill of last year this matter was so arranged that the annuity might be so reduced as to secure the repayment of the insurance money by the end of the normal term.

Amendment proposed, in page 6, line 2, to leave out all after "replace," to end of sub-section, and insert "the advance at the end of the annual term."—(*Mr. Sexton.*)

*MR. MADDEN: This matter is dealt with by my right hon. Friend in what appears to me to be the proper manner, namely, by substituting 3 per cent. for 4. The annuity must be re-adjusted, so as to replace at the end of the term so much of the capital money advanced as may not have been liquidated at the date of the re-adjustment, with interest at 3 per cent.

(5.16.) MR. SEXTON: Do I understand that at the end of the period the whole of the money in the Insurance Fund goes straight to the reduction of the balance of the capital bound to be due?

*MR. MADDEN: Yes.

MR. SEXTON: I should have thought that the object would have been secured without these words. But I have no objection.

Amendment, by leave, withdrawn.

Amendment agreed to, in page 6, line 3, to leave out "four" and insert "three."—(*Mr. A. J. Balfour.*)

(5.19.) MR. KNOX: I propose now to add after the word "annum," in line 4, words which will allow a sum to be deposited by the landlord, or by somebody in his interest, sufficient to defray the tenant's insurance money. It may seem hardly necessary to insert a proviso to this effect, as it would, no doubt, be in any case competent to the landlord and tenant to agree that the landlord should furnish a sufficient sum year by year to the tenant to provide for the insurance money. I think, however, that the Amendment is necessary, and the tenant would not always have the same confidence in a landlord, who might at the time when the money came to be paid be out of the jurisdiction, as he would have in an actual deposit in Court. It may also be said that there will be no advantage to the tenant in inserting such a provision, as the landlord will, under such circumstances, necessarily ask for a larger price. That may be so, but I think this is one way in which sales will be carried out under the Bill. There may be cases in which, unless somebody comes in to help the tenant to pay this extra sum, the tenant will be unable to pay it for himself, and therefore the Land Commission, representing the British taxpayer, will be unable to advance the money. I venture, therefore, to think that this Amendment should be adopted.

Amendment proposed,

In page 6, line 4, after the word "annum," to insert the words, "Provided that if in any Agreement for the purchase of a holding any person other than the tenant agrees to provide the purchaser's insurance money, a sum sufficient to provide such insurance money shall be provided or shall be retained by the Land Commission as if it were part of the guarantee deposit, and the sum so provided or retained shall be treated by the Land Commission as if it had been provided by the tenant, and the annuity payable by the purchaser shall after the first thirty years of the term be four per cent. on the amount of the advance."—(*Mr. Knox.*)

Question proposed, "That those words be there inserted."

(5.23.) MR. A. J. BALFOUR: I am not sure that I understand the Amendment. If we are to interpret its wording strictly, it would seem that this money must be added to the landlords' Guarantee Fund.

MR. CHANCE: No, it would go to a separate fund.

MR. KNOX: I am not sure that the words are clear. At present the guarantee deposit may be supplied in one of two ways. It may be provided by a person from outside, or may be retained out of the purchase money. If in the agreement for the purchase of the holding there should be a covenant on the part of the landlord or any other person to provide this money for the tenants, the Land Commission would either receive the money from the other person or retain it out of the Guarantee Fund.

(5.25.) MR. CHANCE: The object of the Amendment is perfectly clear. All the right hon. Gentleman wants is to get his Insurance Fund, and, if he gets it, it matters not where it comes from. This Amendment would in a large number of cases result in the springing up of the Insurance Fund the moment the purchase agreement was executed. Why should not the right hon. Gentleman take the ready money? If the landlord says, "I cannot possibly sell if the Commission insist on screwing this 80 per cent. out of the tenant, but it will pay me very well to hand the insurance money over to the Government and get the purchase money down on the nail." Why should he not do so? There is a slight technical difficulty in the Amendment, inasmuch as it does not clearly set the money on one side as an Insurance Fund. That can, however, be easily remedied by the addition of a few words. I know something about the practical working of these Acts, and I am sure that the adoption of this Amendment will make all the difference between the successful carrying out of the measure and its failure.

MR. A. J. BALFOUR: I gather that the hon. Gentleman who has just sat down thinks that the Amendment would be unworkable in its present state. I do not know what is the meaning of "after the first 30 years."

MR. KNOX: I ought to have explained that that is a misprint. It should be "five years."

(5.29.) MR. A. J. BALFOUR: Then I do not understand why the tenant is to pay more than the normal annuity from the beginning if he gets from an outside source a sum of money equivalent to the Insurance Fund.

MR. KNOX: I quite admit the justice of the Chief Secretary's argument, and will leave out all the words after the word tenant.

Amendment, by leave, withdrawn.

Amendment proposed,

"In page 6, line 4, after the word "annum" to insert the words, "Provided that if in any agreement for the purchase of a holding any person other than the tenant, agrees to provide the purchaser's insurance money, a sum sufficient to provide such insurance money shall be provided or shall be retained by the Land Commission; and the sum so provided or retained shall be treated by the Land Commission as if it had been provided by the tenant, and shall be dealt with as the purchaser's insurance money." —(*Mr. Knox.*)

Question proposed, "That those words be there inserted."

*SIR J. M'KENNA: I hope the right hon. Gentleman the Chief Secretary will not accept this proposal. It will add an unnecessary complication to the whole business, and I think it will destroy more contracts than it will promote. If a man wants to provide the insurance money he can dos o without the intervention of the Act at all.

(5.34.) MR. D. CRAWFORD (Lanark, N.E.): I think my hon. Friend has introduced a certain confusion into his Amendment. There are two entirely different cases contemplated by it. One is a case in which the insurance is to be furnished by the landlord, and the other a case in which it is to be furnished by somebody else. I say also that such general terms as "a sum sufficient to provide such insurance money shall be provided," are out of place in this Bill. Something more specific is needed to show how the Land Commissioners are to enforce the provision of the money.

MR. CHANCE: Might I point out that the theory of the old Land Purchase Acts is that the guarantee deposit is not part of the purchase money, but is found by someone outside? That is an absurd theory, of course; but the provision of the Acts is that the guarantee deposit "shall be provided." Those

are the words used in the printed contract forms. Obviously, on the Amendment as it stands the intention is that there shall be a bargain to provide, and that there shall be performance of that bargain, before the abnormal annuity shall disappear.

MR. A. J. BALFOUR: There is a certain disadvantage in discussing an Amendment that has been so materially altered, but I think we now understand the intention of the hon. and learned Gentleman who moved it. I have two objections to his plan, which I think he will feel have some weight. The first is that one peculiarity of the Insurance Fund, as it now exists in the Bill, is, that in case of the application of any part of it to meet the necessities of the tenants, it shall be refilled from the same source.

MR. CHANCE: The question of refilling the fund is not touched. It comes in afterwards.

MR. A. J. BALFOUR: One of the principal reasons we have had in view in fixing this Insurance Fund, although it has been rather lost sight of, is that we are unwilling to see too great and immediate a difference made between the lot of the tenant who buys and that of the tenant who is unable to buy. Now, it is clear that this object would not be at all met by the Amendment. In fact, if the Amendment were accepted, the inequality would be more glaring than it would be under the Ashbourne Acts. Under these circumstances, I would not advise the hon. Gentleman to press his Amendment, which in any case I think ought to be carefully considered, and which, if he wishes to discuss at any length, I would advise him to put down on Report.

(5.41.) MR. KNOX: I do not understand the right hon. Gentleman's advice, because on Report it could not be discussed at any length. I admit the mistake I made at the end of the Amendment, and that mistake has put me to some disadvantage. The objection raised by the hon. Member for Lanarkshire (Mr. D. Crawford) has, I think, been fully met by the argument of my hon. Friend below me (Mr. Chance); but I would point out, if any person agrees to provide this money, and it is not provided, the person aggrieved would naturally have his remedy on the contract, if not otherwise. One of the Chief Secretary's arguments has been met by my hon. Friend. The right hon. Gentleman's other objection is one of principle. As to his objection that the annual payment will be reduced with what he considers an inconvenient rapidity, I admit that the proposal is open to that objection. It is the object of my Amendment to reduce the annual payment in some cases more quickly than it would be reduced under the Bill. Therefore, I do not think I shall gain anything by deferring the consideration till Report, for in no case can that principle be accepted. I think, therefore, this Amendment should be pressed. I do not know whether the hon. Member for South Monaghan (Sir J. M'Kenna) intends to ask his constituents to return him again; but let him explain to them that he is opposed to a provision that aims at a further reduction of the instalments to be paid by a purchasing tenant, and I question very much if he will return to this House as Member for South Monaghan.

SIR J. M'KENNA: I may be allowed to explain now that I take this course in Committee, because I believe that the main object of the hon. and learned Gentleman is obstruction of the progress of the Bill, with the chance of its destruction, an object which some of his allies have not hesitated to avow.

MR. T. W. RUSSELL: I am going to vote against the Amendment, and I have not the slightest fear of what my constituents may say as to my action. I was not prepared to accept the Amendment in its original form, because it was to me intelligible. As amended now, I cannot understand it, though I have tried diligently to do so. Who, I ask, is going to pay this insurance for the tenant? Is it likely to be the landlord? I suspect he will consider that his guarantee deposit is quite enough. Is it going to be the "gombeen man?" If that is to be the case, I see no benefit to the tenant.

(5.45.) MR. SEXTON: The objection to the tenant finding the insurance money from outside is difficult to understand. It sheds a curious light on the laborious argument which the right hon. Gentleman yesterday and to-day applied to this question of insurance. He has on several occasions laboured hard to

show that a quarter of a year's insurance was required in one case, five years in another, as a saving to the State against a sudden default of the tenant and the necessity for eviction. But now it appears that is not the argument most firmly fixed in his mind; but the fundamental principle upon which he is proceeding is that the full extent of the benefit the tenant purchasers might fairly reap from the use of the credit of the State is not to be allowed to become manifest within the next few years, so that the other tenants who cannot buy will not perceive the extent of the advantage. But surely that is an idle hope of the right hon. Gentleman. How does he hope to conceal these facts from the tenants who have bought under the Ashbourne Act, and whose annual instalments differ as much from the ordinary level of rents as this Bill will differ if the Amendment is accepted? I cannot agree with the hon. Member for South Tyrone that the Amendment is unintelligible. It has been hastily drafted and may be open to criticism, but the object of it is quite clear. Without supposing that any third person may interpose in the transaction, if the landlord is willing to provide the insurance at the outset, why should you not accept that lump sum at once rather than that you should continue to levy it over a period of five years? I can imagine a reason why a landlord should do that, and I submit it to the intelligence of the hon. Member for South Tyrone. Suppose a landlord is desirous of selling the whole of his estate, and finds that his tenants are willing to buy with the exception of some half dozen, the failure of this small number to agree to the contract involving the payment of this insurance might defeat the sale of the whole estate. This is a conceivable, and a not unlikely case. The failure to sell the whole of the estate may be prejudicial alike to the interests of the tenants who want to buy and of the landlord who wants to sell. In such a case, the landlord being anxious to sell, and finding that the opposition of a few tenants defeats his purpose, may very well say to these tenants, "I am willing to provide the Insurance Fund on your behalf for the present, the method of repayment being matter of private arrangement." Will the Chief Secretary say in such a case that it is not well, that it is not expedient, for the landlord to pay this insurance money, the Commissioners treating it as if it were paid by the tenant, and the tenant paying it back again? If in the meantime the failure of the tenant to pay his regular instalment causes a draft upon the Insurance Fund, you have by this Amendment the means to meet this.

(5.50.) MR. A. J. BALFOUR: The hon. Gentleman appears to be unable to understand why, if I have many reasons, I do not mention them all. I have not done so in order to avoid undue and laborious repetition. I have replied to arguments used, but I did not think it necessary to repeat at great length, though I have made constant allusions to it, the argument I used originally in recommending the plan. I recalled it to mind more than once; but as it was not dealt with by hon. Members opposite I did not urge the point, because it did not appear relevant to their argument. I urge it now because it has become relevant, because it is pertinent to the Amendment of the hon. Member for Cavan. And yet I am told that I have suddenly discovered a new reason which I have been concealing from the Committee during the many hours we have been discussing the first five lines of this clause.

MR. SEXTON: I do not say the right hon. Gentleman was concealing it, but certainly he did not mention it.

MR. A. J. BALFOUR: I did not dwell upon it, because it was not relevant to the arguments used on the other side. Well, we cannot accept this Amendment, and I do not think the loss to the hon. Member's friends will be very great. I cannot understand the frame of mind of the landlord who is foolish enough to lock up, not for 17 years, but for the whole 49 years, so large a sum as would be required for insurance if the tenant bought for a very small number of years.

MR. SEXTON: He would give it absolutely, and payment would be matter of arrangement.

MR. A. J. BALFOUR: Practically, the Bill provides an Insurance Fund for the whole time the advance is being repaid. If you are going to substitute any other form of insurance, you must provide that it shall last for 49 years; therefore, directly or indirectly, the

landlord must give that large sum for 49 years.

MR. CHANCE: For ever—absolutely.

MR. A. J. BALFOUR: For ever! Still worse. If the landlord wants to give money to the tenant, there are plenty of ways of doing it without resorting to this clumsy method. If the landlord is anxious to induce the tenant to buy, no matter on what terms, the ingenuity of landlord and tenant is amply sufficient to carry out some device without this.

(5.55.) SIR G. TREVELYAN (Glasgow, Bridgeton): We who voted for the Amendment moved by my right hon. Friend (Mr. Morley) have to consider what course we ought to adopt towards this Amendment. I have no doubt whatever. Towards the end of Clause 3 my right hon. Friend made an extremely powerful speech at considerable length, thoroughly entering into this question, and arguing against the public policy of maintaining for five years a higher rate than 4 per cent. upon the purchase money. To that proposal of the Government we have certain great objections. The main objection is that we feel that it will keep up the price of land to an abnormal extent. There were objections entertained below the Gangway which, personally, I did not share—that it would tend to check purchase. But one thing we liked about the Government proposal was that it provided an extra guarantee for the taxpayer. Now, the proposal of the hon. Member gives us this advantage, and saves two disadvantages. It gives the insurance and the possibility of its being provided by the landlord, for I am glad to see that, as the Debate has proceeded, we have put aside the idea of the benevolent interposition of the third person; and we face the practical suggestion that the landlord will provide the money. The proposal of the hon. Member below the Gangway provides the same guarantee to the British taxpayer as does the Government proposal, and avoids two disadvantages—the danger of the tenant's being obliged to pay a fictitiously large rent, and so being deterred from purchase, and the danger of his being indifferent to the number of years' purchase agreed upon. As to whether the landlord will pay the money down, attention ought to be paid to those who know Ireland; and hon. Members from Ireland have declared that landlords would be willing to make the advance, in order to facilitate purchase. If landlords should be willing to provide the lump sum down, no doubt it would accelerate sales, for tenants would begin their term under the contract of sale upon more favourable terms. Certainly, if landlords were willing, there would be no harm in carrying out the proposal.

MR. T. W. RUSSELL: Until the hon. Member for West Belfast spoke, I regarded the Amendment as only doubtful. Now I see that it is undesirable. It would produce collusion between the landlord and the tenant. If the landlord paid the insurance money, he would certainly stipulate for a larger number of years' purchase. I do not say that is the intention of the hon. Member for Cavan, but that will be the effect.

MR. KNOX: Whether or not the Amendment is adopted, I believe in many cases this inducement will be held out to the tenant to purchase. The landlord will, in some cases, provide the insurance; he may lodge it in the bank; he may place it with trustees; or, in some other way, to suit both parties, there will be collusion. Of course, the landlord may get a better price, but without some form of collusion there will in some parts of Ireland be no sales at all. If there is this collusion, it is better that it should be under the direction of the Land Commission, and that the Commission should know all about it. There are cases in which sales cannot be carried out at all unless the insurance money is provided by some one; and why should not the Land Commission be free to give their sanction to the arrangement?

(6.0.) MR. LABOUCHERE (Northampton): As a supporter, and almost a confederate, of the right hon. Gentleman in the matter of this insurance, I beg him to accept the Amendment. It can do no harm; obviously there will be collusion, and it is better that the thing should be done openly and fairly with the knowledge of the Land Commissioners. With regard to the argument that the price of land would be raised, hon. Members forget that the amount to be paid does not depend entirely upon the agreement between landlord and

tenant; the Land Commissioners will exercise some sort of power to decide what is a fair value, and may refuse assent to what they consider an unfair bargain.

MR. CHANCE: There is a guarantee deposit as well as an insurance guarantee, and, under the Ashbourne Act, the Land Commissioners may increase the amount of the guarantee deposit; they may demand an outside security or personal security, apart from the guarantee deposit or the value of the land; and why, under this Act, should you refuse to allow the aid to a tenant from a third person? Let me give an example of how this would work. Suppose a holding, at £10 a year, to be bought at 10 years' purchase. This means an advance of £100 and a nominal annuity of £4. That is all the Land Commissioners would require the tenant to pay under the old Act, and all they would have to consider would be whether the holding would be safe to repay them £4 for 49 years. But now, although the same bargain may be made between landlord and tenant, the Land Commissioners, instead of considering whether the holding will be safe to pay £4 for 49 years will have to consider whether it is safe for the payment of £8 during the first five years, and then £4 for the remainder of the term. Therefore, although the tenant may be willing to sell for 10 years' purchase, or £100, the Commissioners will have to look on the advance as if it were £200 during the first five years. The clause provides that in dealing with this abnormal annuity the Commissioners shall not look outside the four corners of the holding; but if by the Amendment they were allowed to go outside, obviously, instead of selling at 10 years' purchase, the landlord would sell at 12 years' purchase, and the amount would be £120, and the normal annuity £4 16s. 0d. and £16 would have to be found by somebody instead of it being distributed over 5 years by an abnormal annuity of £3 4s. 0d. additional. The landlord agreeing to the sale for £120 would pay back £16 of this to the Commissioners, and the increase on his guarantee deposit of a fifth would take the other £4, and so the landlord would be in precisely the same position as if he sold for 10 years' purchase, and the difference to the State would be that instead of having a doubtful abnormal annuity to be dragged from the tenant during five years, the State would have £16 cost in hand to provide against misfortune. Surely it is better to have the ready money than a doubtful debt. I cannot understand why there should be this objection. The only explanation possible is that the Government desire to check land purchase on small holdings and on poor land, and to confine land purchase to the richer land, and Ulster holdings, and this, of course, explains the support the Government receive from the hon. Member for South Tyrone. This I consider a dishonest attempt to divert the benefit of the scheme from the general body of tenants in favour of the larger tenants in Ulster and the Midlands.

(6.10.) The Committee divided:—Ayes 126; Noes 188.—(Div. List, No. 183.)

MR. MACARTNEY (Antrim, S.): I beg to move, in page 6, line 4, after Sub-section (1) to insert—

"Provided that this sub-section shall not apply when the amount of the advance does not exceed three-fourths of the purchase-money of the holding."

I think the right hon. Gentleman the Chief Secretary agrees to the Amendment.

Question proposed, "That those words be there inserted."

(6.20.) MR. KNOX: Though I am in favour of the Amendment, I would point out that it would give rise to a suspicion of collusion such as was objected to so much in connection with the last Amendment.

MR. A. J. BALFOUR: I am obliged to the hon. and learned Member for drawing my attention to that point. I will consider the matter with the view, if necessary, of making some modification on Report.

Question put, and agreed to.

MR. PARKER SMITH (Lanark, Partick): I beg to move to insert after "but," in line 8, the words "in any case." The sub-section applies to the cessation of payment where the total amount of the advance has been repaid. As it stands it applies to the case where no application for reduction has been made at the end of the five years.

Supposing an application is made at the end of five years, but another application for a reduction is not made at the end of 18 years, then it is possible that the whole amount will be paid off before the term has expired, and the sub-section ought to cover that case as well as the case where no application for reduction is made. I think the point will be met by my Amendment.

Amendment proposed, in page 6, line 8, after "but," to insert "in any case." —(*Mr. Parker Smith.*)

Question, "That those words be there inserted," put, and agreed to.

(6.24.) MR. KNOX: I beg to move to leave out Sub-section 3. This subsection was not in the Bill of last year, and I fail to see why it has been introduced in this measure. I suppose the real explanation of it is, like the explanation of the whole section which we have heard from the Chief Secretary, that it is political. I presume the object is to enable the Lord Lieutenant where he is displeased with the political conduct of any county to put an end to land purchase in that county. That must be the effect of the proposal if carried out, and I object to giving such a dangerous discretionary power to the Lord Lieutenant. If security is to be retained for the benefit of the British taxpayer, let us enact it plainly in the Bill. Why the Lord Lieutenant should have power to require 80 per cent. of the old rent to be paid for long periods in any county—it may be in a county where it would be difficult even now to obtain such a payment—I cannot imagine.

Amendment proposed in page 6, line 12, to leave out Sub-section (3).—(*Mr. Knox.*)

Question proposed, "That the word 'if' stand part of the Clause."

(6.27.) MR. A. J. BALFOUR: The hon. Member has quoted the Bill of last year as though it were to guide the deliberations of the Committee this year. That is, no doubt, a great compliment to the Bill of last year, but I think it hardly makes sufficient allowance for the consideration which naturally has been given to the subject during the interval between last Session and this Session, and for the Amendments which from time to time have suggested themselves. The object I had in introducing the sub-section has not been fairly presented to the Committee. As the Bill stood originally, there was a fixed rule laid down to apply to every part of Ireland, whether land purchase was very much desired or not —whether it was in Ulster or Connaught. There was the same fixity of rule governing the length of time during which the annual 80 per cent. of the old rent was to be paid. We avoid that injurious uniformity by this provision. If I were legislating in regard to land purchase in Ulster, and for Ulster alone, or for the more prosperous part of the province, I should fix one steady rule and probably not put the immediate advance of the tenant as low as 80 per cent. I should think that a thrifty and industrious population would be grateful for the comparatively small privilege of being allowed to buy their holding at a comparatively small reduction of their original rent. When you are dealing with the South of Ireland you have to consider the circumstances of the people, and if they are to be required to pay too large an amount in annuity of that which they formerly paid in rent they may be discontented. If we had an unlimited sum of money to advance that would at once supply every tenant in Ireland with the means of buying his holding if he and his landlords should come to an agreement, I do not believe it would be necessary —though it might be—to have a provision of this kind. Supposing—what I believe to be the fact—that in a part of Ireland there is an immense competition to buy, is it not rather hard on the tenants who are so anxious to buy that they would be quite ready to pay the 80 per cent. for five years, eight years, or 10 years, that they should be ousted because they have not applied as quickly as other tenants who would not be prepared to buy if they knew this money was to be paid for more than five years? If the Lord Lieutenant finds at any time the competition amongst the tenants to buy such that it is obvious that the amount allocated to each county from the Guarantee Fund would be exhausted or more than exhausted before the tenants desiring to purchase at once would be satisfied, I can conceive that it would be his duty to increase the length of time

during which the abnormal annuity, or the 80 per cent., should be paid. The result of that would be that a number of tenants less anxious and worthy to buy would be discouraged, and that the money would go first to those thrifty tenants desirous to come as soon as possible into possession of their holdings, and ready to pay the abnormal annuity for an increased length of time. They should have the first claim on the funds allocated by the Exchequer. The hon. Gentleman has conjured up to himself a picture of a Lord Lieutenant making land purchase impossible in this county or that county. I cannot conceive any Lord Lieutenant who could so far depart from his duty as to use this sub-section for that purpose. What I conceive he will use it for will be in certain counties where he finds great anxiety to buy, and anxiety to buy out of all proportion to the means provided by the Exchequer, he will increase the length of time during which the abnormal annuities are to be paid, with the result, as I have said, of discouraging the less worthy and of giving additional authority to the more worthy to buy. I use the words "less worthy" in no sense in reference to the morality of the tenants, but as distinguishing between the thrifty and the less thrifty, and those more anxious to become the full owners of their holdings and those less anxious. If this sub-section is left in the Bill we shall get a certain elasticity where it is much required, and shall not be open to the reproach that we treat the North and East of Ireland with precisely the same measure that we mete out to the South and West.

(6.35.) MR. SEXTON: The right hon. Gentleman says the retention of this sub-section will give elasticity to the Bill. To my mind it will not give elasticity, but rigidity—the rigidity of death. Wherever this provision is put into operation it will kill the Act. My hon. Friend referred to a circumstance not unworthy of the attention of the Committee, namely, that this provision was not to be found in the Bill of last year. The right hon. Gentleman treats that sarcastically, but I would submit to him that the Government have been a long time considering the land question, and that they had ample time to make up their minds as to their policy before drawing the Bill of last year. When we find a provision of this kind suddenly introduced after a very short interval we are entitled to look on the alteration with suspicion, and to ask why it was not introduced in the former Bill. The right hon. Gentleman says it is not wise to treat every part of Ireland in precisely the same manner. But there is something very different to precise identity here, because in the counties in Ireland if this provision is in force there will be, or may be, extreme difference of treatment. In one county the tenants, after the lapse of five years, may be released from this special impost and enjoy the full value of the credit of the State on the amount of their purchase annuity, whilst in another county where this provision is brought into operation, the whole structure of the Act and the whole incidence of the bargain between the landlord and tenant ratified by the Land Commission may be upset. The Lord Lieutenant of Ireland, a solitary political official, may of his own mere will substitute a bargain altogether different from that contemplated by the Act. To suggest that such a power, after the subject has been carefully considered by both branches of the legislature, should be given to one individual with the effect perhaps of destroying the whole share of a county in the amount of Stock to be allocated, is a proposal as absurd as could be made. The right hon. Gentleman the Chief Secretary seems to have a graduated system of discouragements. He applies douches of cold water to the Irish tenants under this Bill. His first douche is a system of insurance which he applies for fear the Irish tenant should rush in and take too great an advantage of the Act. He takes 20 per cent. of the annuity for the first five years, and now he endeavours to make a kind of selection by a series of experiments applied to the financial powers or inclinations of the tenants of a county, and comes at length to the happy point when the requirements of the tenants will just amount to the quantity of Stock allocated. In my judgment the effect of the application of this power by the Lord Lieutenant will be to defeat what is, or ought to be, the main purpose of the Act — and what is avowed to be the main policy of land purchase in

Ireland—and that is, the widening of the basis of social order by granting as large a number of the tenants of Ireland as your resources will allow power to buy their holdings. How is that basis to be widened? By the admission of poor men to this plan of purchase. It is not the number of holdings which affect social order in Ireland, but the number of men; and in proportion as you make your resources extend over a considerable number of tenants so will your attempt to preserve social order succeed. The effect of the right hon. Gentleman's proposal will be to discourage the small tenants. The men to whom relief is most necessary will be driven out of the field, and the only men who will be able to purchase will be the large farmers, with whom your avowed policy has nothing to do. The right hon. Gentleman has admitted that the Ashbourne Act has let in rather too large a proportion of the large tenants. I am glad to hear him admit it. That is true. The large tenants have had too much advantage from the Ashbourne Act, and the Government are now going to make the mistake more intense. The tenants who are able to pay 80 per cent. of the old rent will come in and swamp the Stock issued to the county, and the small farmers will be shut out. And I think the powers of this sub-section should not be entrusted to a political officer. The Lord Lieutenant is not like a Land Commissioner. He is not independent of Party and of Party prejudices and interests, but may be an Irish landlord with little sympathy with the tenants. The only argument in the speech of the right hon. Gentleman to which weight can be attached was that the applications in a county may be more numerous than the amount of Stock will satisfy. But he surely does not think that the whole amount of Stock will be at once applied for. The share of each county will be about £1,000,000, whereas that under the Ashbourne Act was only £1,000,000 for the whole of Ireland. Under the Ashbourne Act the tenants received relief at once, which will not be the case under this Bill. What reason then, is there to assume that the applications will be more numerous under this measure than they were under the Ashbourne Act? It is highly improbable that the applications will exceed the full amount of the Stock, therefore I say the state of affairs the right hon. Gentleman speculates on to justify his proposal is one not likely to arise. On the whole, I think the right hon. Gentleman will himself admit that he is, in order to meet a state of things of an extremely speculative character, inserting a provision which may have a destructive effect on the policy of the Act.

(6.46.) MR. A. J. BALFOUR: The hon. Member seems to have forgotten the Debate which took place on the Second Reading. At that time no argument was urged with greater persistency than the fact that, since the amount available under this Act is necessarily limited, the amount of discontent produced by the Act would be greater than the amount of content, and that, so far from laying broad and deep the basis of social order, the Government are providing all the elements of discord. If it should be true, as I believe it is, that in the more advanced parts of Ireland there will be immense competition to seize at once on the portion of the fund allocated to them, then the Lord Lieutenant will be well advised to make use of the powers committed to him by this sub-section. When I spoke of the tenants most likely to buy, the hon. Gentleman assumed that I was alluding to the most prosperous part of Ireland—the North. I was not alluding to it. I believe that the small farmers are willing to give as large a price as the big tenants, or even a larger price. I hope, in the interests of the tenants who may be excluded by the competition, that the Committee will permit the Government to retain the clause as it stands.

(6.51.) MR. SEXTON: The right hon. Gentleman has a very useful Parliamentary method of casting a cloud of words over almost any subject with which he deals, and he has just availed himself of his ability in that respect to confuse the subject now under consideration. I repeat that there is a strong and manifest reason why the course I have suggested should be taken in this case, because if after a period of five years the annuity should fall from 80 per cent. to the true rate of purchase money, the term over which the annuity would extend would be much longer than if the Lord Lieutenant had maintained the 80 per cent. for the whole time. With regard

to the question of social order, I should like to ask the right hon. Gentleman why it is that he does so much for Ulster? One of the main reasons for the scheme he has brought forward is that it is intended to preserve social order, to reduce the disturbed and convulsed parts of Ireland to an orderly condition. If that be so, how can Ulster by any possibility become a case in point? The right hon. Gentleman appears to me to have lost sight of one of the main points of his policy when he speaks so much about Ulster. My point is that his policy is required chiefly in the other provinces, and not in the province of Ulster, and that the effect of this provision will be to aggravate the inequality which the right hon. Gentleman lamented as having risen under the Ashbourne Acts. It would give the larger farmers the power of swamping the smaller tenants.

(6.55.) MR. M. HEALY (Cork): The right hon. Gentleman has told us that he opposes this Amendment with the view of preventing the discontent which might otherwise be created among the small holders. Surely the method he takes of doing this is a peculiar one, namely, that of securing that there shall be no member of the community who shall be happy enough to become the subject of envy among his fellows. I venture to prophesy that the effect of this clause may be to render the measure, to a very large extent, inoperative. The attitude adopted by the Government will tend to secure that this Bill will issue still-born from the Legislature—at any rate, this portion of the clause will go far to kill land purchase in Ireland. The practical effect of the clause will be to put a premium upon purchase at a high rate, and a penalty on purchase at a low rate. It will press very hardly on the man who has bought his land cheap, while the man who has bought his land at a high price will not suffer. The fact is that the higher the price at which a man buys the less he will suffer; while the lower the price at which he buys the more he will suffer; and the general result will be to secure a high insurance where there is no risk, and no insurance where there is a high risk. The man who purchases at a high rate will have to go on paying the annuity for 49 years, while the man who purchases at the low rate will have to pay off the whole of the purchase money within a period not exceeding 30 years. Surely this is the reverse of the whole past policy of land purchase in Ireland. The tendency hitherto in the passing of Land Acts has been to lengthen the period of the purchase annuity, so as to enable the instalments to be reduced. The Act of 1870 began with the period of 35 years, but the Legislature subsequently thought fit to extend the period to 45 years. The effect of this clause, therefore, is to go back upon the policy which has hitherto been adopted.

(7.0.) MR. WEBB: There is no provision in the Bill against which we Irish Members have expressed a more decided objection than this. Yet, doubtless, it will be carried against us by appeal to Members and not to reason. It is the means by which that principle is to be given effect, namely, by the declaration of the Lord Lieutenant to which we evince opposition. More power is to be given to the Lord Lieutenant, than whom there is hardly a ruler with greater power. He is autocratic, only unlike other autocrats, he is not autocratic in his own country. The Lord Lieutenant is not surrounded by influences of a representative character. He lives in his own small circle, and it is impossible that the public opinion of Ireland can touch him. And now in this the arbitrament is to be given him, and it may well be that the unfortunate inhabitants of some particular locality may not please him, and he will make them suffer; or they may acquit themselves to his satisfaction, and he can, if he choose, reward them. That is a power against which the Irish people have the right to protest. It appears to me that in dealing with this Bill we ought to exercise the judicial spirit, and avoid as much as possible passion. But the Chief Secretary made one unfortunate remark. He said that this clause would scarcely have been necessary if it only applied to Ulster, where the people are thrifty and industrious — which is equivalent to saying that the people in other parts of Ireland are not thrifty and industrious. To compare parts of the country where the hard conditions of life render thrift an impossibility with others where the circumstances are more prosperous, is to do

that which will provoke angry discussion, and excite bitter feelings. On every ground I support the Motion to leave out this sub-section, which I think most unfortunate and objectionable.

(7.15.) MR. LABOUCHERE: I do agree with the Amendment, because I am thoroughly opposed to the whole Bill, but I cannot for the life of me understand why the Chief Secretary does not accept it. A General Election must take place within the next two years—some people think that it will take place within the next 12 months—and when it does occur there is not the slightest doubt that the Liberal Party will come back with a large majority. The constituencies of the country will declare that they are opposed to land purchase, the incoming Ministry will be opposed to land purchase, and the new Lord Lieutenant, who will represent the views of the Ministry, will be opposed to land purchase, and he will immediately put up the number of years of the annuity so as to render it impossible for the scheme to be worked. Thank God at the end of two years the Liberal Party will have a majority, and, therefore, only £4,000,000 out of this £30,000,000 will be taken out of the pockets of the British taxpayer.

(7.20.) MR. A. J. BALFOUR: I think the hon. Member for Northampton, in his enthusiasm, appears altogether to have forgotten that he supported this part of the scheme of land purchase which was brought in by the right hon. Gentleman the Member for Mid Lothian.

MR. LABOUCHERE: It is dead.

MR. A. J. BALFOUR: Under that scheme the tenants would have been in a worse condition than under this Bill, for by it the Lord Lieutenant would have exercised full discretion. I only rose to say that we propose to guard against the danger which has been set forth by the hon. Member, and at the proper time I shall move to insert in the first line of the sub-section the following words:—

"If the Lord Lieutenant is at any time of opinion that in the interests of the general body of tenants with regard to purchase such a course is desirable, he may declare,"

and so on.

(7.25.) MR. T. M. HEALY (Longford, N.): The right hon. Gentleman must think us extremely simple if he thinks we are taken in by his balmy phrases. He is fully entitled to move words into this Bill, though they will lead to further discussion. If the right hon. Gentleman thinks these words will shorten discussion, I can assure him that it will have the contrary effect. The Committee must be well aware that it is impossible to dive into the depths of the Viceregal mind. Some Viceroys have no mind at all. To suggest that these words will safeguard us against imaginary dangers referred to by the hon. Member for Northampton is to do that which does not carry the smallest conviction to our minds. If these words are carried, the Lord Lieutenant, who is responsible to nobody for the state of his mind, can make his declaration without the smallest regard to its effect. It is exactly what he does under the Coercion Act. He declares a particular district is in a state of disturbance, and there is nobody to contradict him. You cannot argue against the master of many legions. The Government, in my judgment, all through this clause have inserted words in the interest of high purchase. Take the Egmont Estate. A bargain was there made a year and a half ago for 12 or 14 years' purchase. The Egmont Estate embraces about 1,000 tenants. It will probably be next year before these tenants get their conveyances. Yet the bargain made two years ago will not be operative for the purposes of this section until the year 1892. Still, the declaration of the Lord Lieutenant would affect the bargain that had been made by those tenants before he was inducted into Dublin Castle. That is an absurdity, and I presume the Government will rectify it. We all know what is done when the landlord wants to sell to his tenants. The mapping out of these estates is about as difficult as the delimitation of Africa. He begins with 500 tenants, and probably by the time he gets done he finds a dozen of them are dead. In an estate of any magnitude I venture to say that two years is about the shortest time in which you can put through the operation of purchase, though it would more likely take 2½ and 3 years, and if you add the two years which it will take to put in force the declaration of the Lord Lieutenant, you have in all four years, and by that time the Government would be out

of office. Is it worth while to press a clause of the kind? By this action you are doing a very bad thing in the interests of the Land Commission itself, and are preventing them from doing their work, freed from political consideration. On the whole you ought to divorce politics from land purchase. To say that the Lord Lieutenant is to have the right to declare that 80 per cent. is to prevail for longer than five years is to introduce political power in a most objectionable and obnoxious form. Not only is the clause obnoxious in itself, but from its strong political character it is really importing an element of doubt, difficulty, and perplexity into the land purchase Department, which never existed before, and on this ground, and no other, I shall certainly give it my strong opposition.

(7.40.) MR. CHANCE: I confess I do not understand why an inflexible annuity is considered better than a flexible annuity. But the right hon. Gentleman seems to think that some hidden virtue lies in the inflexible annuity. The right hon. Gentleman admits that his object in establishing this fund was not so much to gain any valuable security for the Treasury, but rather to make land purchase a little less attractive to the people, and as it is the clause can be used by the Lord Lieutenant to divert the stream of money from one part of the country to another. He might say to the inhabitants of one county that they had not behaved well, that they had not paid Lord Clanricarde, and that they had not gone on their bended knees to the Member for South Hunts, and, therefore, he would punish them by increasing the period during which the annuity was to run. To the inhabitants of another county he might say that they had done well, that they had returned the Member for South Tyrone and South Londonderry, and, therefore, he would divert the stream of money from the wicked people in the South and West to the constituencies who returned either Orange Members or Members of an undefined colour. I put it to the Committee that if the right hon. Gentleman is not willing to trust a *quasi*-judicial tribunal, without fixing them down to inflexible rules, how does it come that he is willing to trust a political individual unguided by a Judicial Body, or by any series of rules, what will happen? It is quite clear that the Chief Secretary will only have to give the Lord Lieutenant the slightest hint what is to be done and it will be done. Where you have a number of estates on which the agrarian difficulty has been healed, the Lord Lieutenant, governed by political consideration, will step in and throw the whole country into a state of disorganisation, simply because he chooses to do so, and having done it there will be absolutely no appeal from his decision, no method of checking or criticising his action. The Bill contains many gross absurdities, which, in my opinion, will lead to dishonesty; but I am bound to say that this sub-section is the most dangerous, the most capable of abuse, and the most certain to render the Bill inoperative.

(7.50.) MR. STOREY: This sub-section appears to me to confer the power of charging 80 per cent. to all the tenants of Cork, while all the tenants of Derry, or some other Northern county, will be charged considerably less. The Land Commission are to have the power to make reductions. In Section 3, however, the Lord Lieutenant has power in any county in Ireland to increase the amount of the annual sum that is to be be paid to the purchasing tenants. When we get to Sub-section 4 we come back to the Land Commission again, and under this section the Lord Lieutenant is to have no power, while the Land Commission is to have precisely the same power, though under different circumstances, that it possesses under Sub-section 3 to increase the annuity. Sub-section 5 is confusion worse confounded. Here, again, the Lord Lieutenant cannot act of his own motion. He is to be moved by a Report of the Land Commission and the Local Government Board. After listening to this Debate, I cannot imagine why the Lord Lieutenant has been introduced at all. We wish the measure in its practical operation free from all suspicion of political management, and I would suggest that the right hon. Gentleman should omit the Lord Lieutenant from the Sub-section altogether.

(7.54.) MR. CONYBEARE (Cornwall, Camborne): I feel sorry that hon. Members who support the Government do not get up and say something

in defence of this Bill, which is conceived in the interests of the majority of them. I have frequently observed that the present Government is a revolutionary Government, and I do not think that any provision of this Bill justifies in a greater degree that description. The functions entrusted to the Land Commission are supposed to require careful limitation, and I apprehend that the functions to be entrusted to the Lord Lieutenant will require in their exercise quite as much tact and discrimination, and that they ought to be equally free from all political considerations. But the Government propose to take a delicate duty from the Land Commission and lodge it in the hands of the Lord Lieutenant, who is to be absolutely irresponsible, because he is not required to give any reason for his action. As has already been pointed out, the only opportunity we will have of criticising the Viceregal action will be on the Vote for coals, or some other privilege attaching to the office. The Chief Secretary is placing the Lord Lieutenant absolutely in the condition of an uncontrolled despot. I think it would be better for this country that these clauses should pass in all their naked hideousness. It seems to me to be simple madness on the part of the Government to insist upon provisions like these, which will render the Act simply intolerable. I cannot conceive any provision which is more likely to inspire suspicion and distrust of the integrity and impartiality of the Government than that now under discussion. The effect of the provision will be more far-reaching than has hitherto been supposed. It will not affect the working of the Land Commission; but if it is used by the Lord Lieutenant in such a way as to suggest that he is trying to punish certain portions of the country at the expense of others it will tend to increase the suspicion and distrust of the Government in other Departments, and will make the business of governing the country more difficult. It is because of its far-reaching character in this respect that I shall certainly do whatever I can to oppose the passing of the clause. It would be bad enough if Ireland were administered under the ordinary law; but with the power vested in the Lord Lieutenant of working this provision and the Coercion Act together, it is obvious that the provision will be a powerful weapon for the coercion of the unfortunate tenantry. I cannot help thinking that if the Government have any remnant of sense left in them they will pause before they force through the House so mischievous a proposal as this.

(8.0.) MR. T. M. HEALY: I wish to ask the Attorney General for Ireland whether it is the attention of the Government that the power given to the Lord Lieutenant under this clause should, if once exercised, be irrevocable? I wish also to know whether it is the intention of the Government to insist on this clause as far as it affects agreements which have been actually entered into. It is perfectly plain that an order under this clause will inevitably, in a great number of cases, affect and modify contracts which have been previously entered into, and practically change the terms of those contracts. Do the Government intend to adhere to the clause as far as it will have that effect or do they intend to insert Amendments limiting the clause or postponing the operation of any order made under it? Will they be prepared to say that in any case where an existing or uncompleted contract would be affected by an order made under the sub-section they will permit either of the parties to that contract to recede from it having regard to the changed condition of affairs. Suppose a tenant immediately after the passing of the Act enters into a contract for the purchase of a holding and it takes two years to carry it out, and suppose before it is carried out the Lord Lieutenant makes this declaration, will the Government consent to an Amendment enabling either of the parties to recede from the contract?

*MR. MADDEN: I quite agree that it is not desirable that the Lord Lieutenant should once and for all fix the duration of the period during which the abnormal annuity is to be paid; and it occurs to me that the clause might possibly be improved if it contained an Amendment providing that, if the circumstances of the country changed afterwards, the matter might be reconsidered in view of the changed conditions. As regards the other point made by the hon. Gentleman, respecting

an alteration in the circumstances between the making of a contract and the declaration of the Lord Lieutenant, I consider it a good one.

(8.6.) MR. M. HEALY: I quite appreciate the spirit in which the right hon. Gentleman has dealt with this point, and I may say that such a spirit will always facilitate the progress of the Bill. Do I understand him to say that the Government would be prepared to favourably consider an Amendment, in the first place enabling an order under this sub-section to be revoked, and also limiting the operation of the clause to agreements entered into after an order made under it has been executed?

*MR. MADDEN: I should think that probably the way in which the clause should run is this, "In respect of annuities made on agreements for sale after the date of," &c. As regards the other point I should wish to confer with my right hon. Friend before putting an Amendment on the Paper.

(8.10.) MR. CHANCE: The unit of area over which the declaration should operate is an important consideration, and I think it is desirable to have a smaller unit than the county. The circumstances on one estate in one part of a county may be wholly different from those in another part of the same county. There may be conditions on one estate by which the tenants are placed in a far more favourable position than on another estate; for instance, on the sea board the tenants may derive advantage from the development of the fishing industry. But if the clause passes as it stands the Lord Lieutenant will be placed in a difficult position, he must either give the advantage of a revision of the order to individuals in the county whom he thinks ought not to have it, or else he must deprive the remaining purchasers in the county of the benefit they ought to enjoy. Substitute a smaller unit for the county, "barony" for instance, and the Lord Lieutenant can act fairly to both classes.

*MR. MADDEN: The county has been adopted as the unit in calculating these financial operations, and I see very considerable difficulty in departing from that basis in this particular. The amount available for land purchase is allotted in proportion to counties, and I see great difficulties in working this sub-section if we depart from that unit.

(8.15.) MR. CHANCE: But my point is that the question of the abnormal annuity is altogether external to the question of guarantee and the amount of advances. The existence of the abnormal annuity for a longer or shorter period cannot affect the total amount of the advances.

*MR. MADDEN: No, but it will be one of the elements in the consideration of the Lord Lieutenant in determining what the action of the Land Commission should be. He will take into consideration the total amount payable in any county. I cannot at present see how the difficulty of adopting a different unit in this instance can be obviated.

MR. CHANCE: The right hon. Gentleman will admit it would be a serious grievance to an industrious man on a flourishing estate that he should be fixed with an abnormal annuity for an abnormal period of time simply because some twenty miles away there is an area within which this abnormal annuity is necessary, and with which area this tenant has no sympathy or connection. I should be glad if the right hon. Gentleman could suggest some method by which the Lord Lieutenant could differentiate between tenants on two estates divided by the length of a county, and in every other respect.

(8.20.) MR. SEXTON: It appears that this declaration is to have no limit of time within which it may operate; it may operate for the rest of the term of the annuity. In fact, the Lord Lieutenant may so decree for any county. The Chief Secretary has explained that there might be a reason, such as competition in the county, for a system of selection, finding the substantial tenants who were willing to pay 80 per cent throughout, and in that way applications might be brought within the limits of the amount of stock available. It is obvious that the competition would disappear as soon as the capital apportioned to the county was allotted, and it might be no longer necessary to maintain the 80 per cent. I would ask the right hon. Gentleman to consider whether it would not be expedient to allow the Lord Lieutenant to select any period of 10 years or less.

*Mr. MADDEN : It is, I think, by no means necessary, and I think it is undesirable to bind the discretion of the Lord Lieutenant by any fixed number of years.

Mr. SEXTON : But it is the function of Parliament to limit the discretion of officials. The Lord Lieutenant may or may not be trusted to do everything that is right, but it is our business to direct him.

(8.23.) The Committee divided:—Ayes 68 ; Noes 56.—(Div. List, No. 184.) (8.35.)

(9.3.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

(9.5.) Mr. CHANCE: I beg to move an Amendment, the object of which is to suspend the operation of Sub-clause 3 until applications have been lodged by intending purchasers in any county for one-half the capital sum available for land purchase in that county. I should assume that if this Amendment were adopted, the sum would not be exhausted by one single operation ; for instance, if by repayment the sum becomes less than half, then the suspension would operate again, and so on. I move the Amendment in some hope that the Government will accept it, because their whole case in favour of the third sub-section is that in case of a rush to obtain land purchase in a given county it is necessary to put a check on it by making the terms a little harder, and so to encourage the better class of tenants to become purchasers. The Government desire to diminish the risk to the State in this way. When I say half the capital sum I do not pretend that the precise fraction is a material point ; but on general principles it may be said that there is no danger of exhausting the capital sum in any county until at least one half has been applied for. If the Amendment were carried I believe it would to some extent mitigate the objection which the Irish Members feel against this sub-section, and it would, on the other hand, leave the Lord Lieutenant's authority unfettered the moment the occasion arose which, apparently, has been anticipated and provided for by this sub-section. I do not think the sub-section can be said to limit the Lord Lieutenant's discretion and prevent the operation of the Bill, and, I must say, I have considerable hope that the Government will accept this Amendment.

Amendment proposed,

In page 6, line 12 after "if" to insert "after one half of the capital sum available for land purchase in the county has been applied for." —(*Mr. Chance.*)

(9.10.) Mr. SEXTON: The Chief Secretary said that unless a provision of this kind is introduced, there may be in every county a competition in excess of the amount of the Stock to be applied to the tenants, and it is expedient that the thrifty and saving tenants willing to pay larger annuities, and willing to give greater security to the State, should have the preference. That is an arguable principle, but I submit that there should be before the Lord Lieutenant some presumption that such a competition really does exist, before he proceeds to the drastic method of discriminating between the purchasers who would not be willing to pay the 80 per cent. for more than five years, and those who would be willing. The Amendment of my hon. Friend offers an excellent means of testing the question of whether there really is a competition of the kind suggested. Unless some such Amendment as that of my hon. Friend is inserted the Lord Lieutenant will have nothing on which to base his declaration under the sub-section.

*Mr. MADDEN : I am disposed to state at once that I agree with the hon. Gentleman to the extent that the substance of his suggestion is worthy of consideration. I go further, and I am prepared to admit that it is desirable that the sub-clause should contain some indication of the principle on which the Lord Lieutenant should act, and I think the principle upon which the Amendment proceeds—that regard should be had to the amount of money available in the county—is the right principle. I would suggest, however, that that principle should be stated in the sub-clause without laying down any hard-and-fast rule as to the amount of applications. The sub-section might contain such words as "if it appears to the Lord Lieutenant expedient having regard to the amount available for the purchase of land in any county," &c.

(9.15.) Mr. CHANCE : I think that in dealing with an executive officer like

the Lord Lieutenant it is better to lay down a hard-and-fast rule. He is a political person and not a judicial functionary in any sense. There is no necessity to take the drastic step of choking off land purchase until a given amount in any county is applied for. I should think that about £1,000,000 sterling will be available in each county for this land purchase, and that you will not find large amounts applied for for some time. I think, however, that you will increase the chance of land purchase if the people are given to understand that within certain definite and fixed limits they are safe from the arbitrary power of the Lord Lieutenant. Some fixed arithmetical rule should be laid down, behind which the Lord Lieutenant can shelter himself, if unfavourable criticism is made upon his conduct. Considering there is nothing much between us in principle, I would suggest to the right hon. and learned Gentleman that it would be better by accepting my Amendment to lay down something definite, than to retain the sub-section in an indefinite form. If left indefinite one Lord Lieutenant might lay it down as a principle that the sub-section should be put in force when one third of the sum had been applied for, and another might prefer to wait until two-thirds had been applied for, and in that way there would be no fixed principle to guide the tenants. I would suggest that my Amendment should be accepted now, and that, if necessary, it should be amended in Report.

*MR. MADDEN: What I would suggest is that possibly the fixing of a definite proportion may not be as useful a mode of limiting the discretion of the Lord Lieutenant as a statutory injunction having regard to the amount of money available in the county for land purchase. I think the hon. Member will see that something more than the actual amount expended in a given time will have to be considered by the Lord Lieutenant. He will also have to consider the rate at which purchase is progressing.

(9.20.) MR. SEXTON: I quite agree that not only the amount applied for, but the rate at which purchase is proceeding has to be considered, and I would suggest that the Lord Lieutenant should be empowered to make the declaration when, during the financial year, the applications reached from one fraction to another fraction. This would allow the Lord Lieutenant a discretionary power between the two fractions—say from a quarter up to a half. The words of the Bill would allow the Lord Lieutenant to act upon mere speculation, while under the Amendment of my hon. Friend he would be obliged to act upon evidence.

*MR. MADDEN: I would suggest an Amendment to the following effect: That if within a certain time a quarter of the total share of any county in the money available for Land Purchase under the Act has been applied for, the Lord Lieutenant, having regard to the total amount available in the county, may, if he thinks it expedient, make the declaration.

MR. M. HEALY: I should suppose my hon. Friend will be quite prepared to accept the suggestion of the right hon. Gentleman.

MR. CHANCE: I think the proposal is reasonable, and I will withdraw my Amendment, and move it in that form.

Amendment, by leave, withdrawn.

Amendment proposed,

In page 6, line 12, after "if," to insert, "after one-quarter of the capital sum available for land purchase in the county has been applied for within five years after the passing of this Act."—(*Mr. Chance.*)

Question, "That those words be there inserted," put, and agreed to.

(9.28.) MR. A. J. BALFOUR: A suggestion was made earlier in the evening by the hon. Member for Sunderland, with regard to the authority to decide the expediency of this matter. While I do not think that this is a matter which could be left entirely to the discretion of the Land Commission, I think that it would be a proper provision that the Lord Lieutenant should receive information from the Land Commission, and, on its Report, come to a decision. I would suggest that Sub-section 3 should be amended so as to read as follows:—

"If it appears to the Lord Lieutenant, on the Report of the Land Commission, that it is expedient, in the interests of tenants who desire to purchase,"

that the purchase annuities shall continue for more than five years, the sub-

section shall apply to all annuities in that county, and so on.

MR. STOREY: If I may venture to make a suggestion, I would ask the right hon. Gentleman why he should not make the clause read in this way, "If it appears to the Land Commission," and so forth, "the Lord Lieutenant shall." That would make the Lord Lieutenant merely Executive in the matter.

MR. A. J. BALFOUR: I think we have hit the right means by giving the Land Commission the initiative, but it would not be fair to throw upon them the entire responsibility.

MR. J. MORLEY (Newcastle-upon-Tyne): I wish to say that while I object entirely to the whole policy of the clause and the sub-section, I think the Chief Secretary is quite right in declining to make the Lord Lieutenant's action ancillary to that of the Land Commission, and that he has put the successive steps in their proper order.

MR. CHANCE: The matter, after all, is not a very large one, but I would suggest that, in order the better to carry out the object of the right hon. Gentleman, the Report should be issued precedently, and a discretion given to the Lord Lieutenant. There are no words here conferring a discretion on the Lord Lieutenant.

*MR. MADDEN: I think if the hon. Member looks into the matter more closely he will find that there are such words. The order will only be made if the Lord Lieutenant thinks it expedient.

MR. T. M. HEALY: I should like to ask whether the Report is to be simply on the matter of fact, or whether it is also to deal with the expediency of bringing the clause into operation?

*MR. MADDEN: That is a matter which will rest with the Land Commission.

MR. J. MORLEY: The policy of the sub-section is to put the drag on at such times as the process may be deemed to be necessary, and it would be for the Land Commission to report to the Lord Lieutenant when they consider they are approaching a state of things bringing them very near to their margin.

MR. SEXTON: The Report of the Land Commission will deal partly with matters of fact, and partly with matters of probability, and it seems to me very desirable that the Land Commission should have some intimation that they are expected to report on the probabilities of the case.

Amendment proposed, in page 6, line 12, after the words last inserted, to insert the words, "if it appears to."—(*Mr. A. J. Balfour.*)

Amendment agreed to.

Amendment proposed, in page 6, line 12, to omit the word "declares," in order to insert "on the Report of the Land Commission."—(*Mr. A. J. Balfour.*)

Agreed to.

Amendment proposed, in page 6, line 12, after "expedient," to insert "in the interests of the tenants desiring to purchase."—(*Mr. A. J. Balfour.*)

(9.40.) MR. STOREY: I think it desirable to point out this proposal means either nothing at all, or something very bad indeed; the case to be met is one in which so many tenants are applying, that the Lord Lieutenant feels it necessary to husband his resources. How does he husband his resources? By increasing the annual charge that will be exacted. And the effect will be that those tenants who are the best off, will get the preference over the poorer tenants. The man who can afford to give 80 per cent. will get the land he wants, and the man who cannot afford to give the price will be beaten out of the market. But this I contend will absolutely defeat the main purpose of the Bill. This is not a Bill to enable the richer tenants to buy. They can get along pretty well as it is. It is the condition of the poorer tenants, and not the richer ones, which creates the necessity for this Bill, and yet the right hon. Gentleman the Chief Secretary proposes to bring about a state of things under which there will be a survival of the fittest—the fittest being the richer tenants, by whom the poor tenants will be driven from the market. I have been opposed to land purchase throughout, and I must say that if there be any justification for such a policy in Ireland it must be that of enabling the poor tenants to obtain possession of their holdings. The anxiety of the Chief Secretary from the first has been to enable the poor tenants to buy——

MR. A. J. BALFOUR: The small tenants.

MR. STOREY: Those, at any rate, on whom the burdens of life fall most heavily—in other words, the discontented tenants, those who have not enough of this world's goods to make them contented; and yet the right hon. Gentleman proposes that when the money appears to be running short the Lord Lieutenant shall have power to increase the annual payments the tenants will have to make. The result will be that there being two sets of competitors for the money, those most able to pay will have the preference over the poorer tenants, consequently the effect of this clause, as now remodelled, will be that in every county in Ireland, when the money begins to run short, an enhanced price will be charged annually, so that those who are best able to pay will be the beneficiares under this Bill. This cannot be carrying out the purpose of the Act, because the poorer tenants, whom we desire specially to benefit, will be placed at a disadvantage, and will have to surrender any chance of getting their share of the money to those tenants who are better off than themselves. I put it to the right hon. Gentleman whether this is a defensible proposition in the light of the policy he has propounded to this House. For my part, I cannot conceive the wisdom of employing public money in buying out one landlord for the purpose of inducting another; but if public money is to be so expended every effort should be used to ensure the application of that money in the first place to the cases of the most necessitous.

(9.52.) MR. T. M. HEALY: I do not think anyone can suggest that I have obstructed this Bill, and I do ask the Government when they have an opportunity of making a concession to avail themselves of it. This sub-section involves arguments on every branch of the land question. The Attorney General has accepted many Amendments calculated to meet our objections, but we have not put down so many Amendments as we might have done because we thought that as the hon. Members for South Tyrone and Londonderry objected to the clause it would not be insisted upon. If the Government do not want to spend another day and a-half on the discussion of this clause, they had better drop it at once. Is it worth while wrangling over an impossible clause, for I really do not think the clause will be of any practical effect?

THE CHAIRMAN: Order, order! I must point out that it is impossible to drop this sub-section, at this stage, for Amendments have already been made in it.

MR. T. M. HEALY: I recognise the force of that observation; but let the Government declare that having heard the views of so many Members of the Committee, they will not adhere to the section.

MR. A. J. BALFOUR: It appears that we are discussing the sub-section on an Amendment introduced for the sole purpose of meeting arguments advanced from the other side. Is that the way to treat the Government when it has done its best to meet the wishes of hon. Members? I submit that the clause has been altered in a way which will meet any real difficulty likely to arise. It would scarcely be in order for me to repeat the arguments in favour of the sub-section as a whole. Those arguments appear to me to be quite unanswered, and I do not think they have lost any of their force. The Committee have refused to drop the sub-section, and, as its principle has been accepted, we may now proceed to adopt it as amended.

(10.0.) MR. T. M. HEALY: What is the good of talking about the Committee. The Members opposite spend their whole time in the smoking-room and only come in to vote as the Government direct, no doubt the Government acting on our suggestion have agreed to certain Amendments; they have inserted the word "it," and if this goes on——

THE CHAIRMAN: Order, order! The hon. Member is not speaking to the Amendment; the question is the adoption of the words "In the interest of the tenants desiring to purchase."

MR. STOREY: What are the interests of the tenants desiring to purchase which will be subserved by this Amendment? That is a question which I invite the right hon. Gentleman to answer.

MR. A. J. BALFOUR: The interest of having enough money to purchase.

MR. STOREY: And I want to point out that under his plan the poorer tenants will not benefit from the Act. Look at Clause 6.

THE CHAIRMAN: Order, order! The hon. Member must deal with the Amendment.

MR. STOREY: I understand that the Government are putting forward the Amendment in the interests of the tenants. I want to find out what those interests are. Surely that is germane to the Amendment. Let me put a concrete proposition. There is £1,000 to be advanced; ten tenants desire to purchase their holdings. According to this Amendment the five richer ones, those all to pay 80 per cent will by process of selection designed by himself become the purchasers, whilst the five poorer tenants will be excluded because they cannot afford to pay 80 per cent.

THE CHAIRMAN: Order, order! The observations of the hon. Member are not germane to the Amendment before the Committee. If he wishes to raise that point he must propose words which will raise the point.

MR. STOREY: I shall be happy to do so if I get no answer.

(10.5.) MR. T. M. HEALY: I do not think it can be said the interests of the tenants are served by raising the amount of the annuity. What are the intentions of the Government? They are by no means clear. Will the right hon. Gentleman explain them?

MR. J. MORLEY: I agree with the hon. Members below the Gangway in contesting the policy of Clause 5 and Subsection 3; but I am bound to admit that I think the words proposed to be inserted by the Chief Secretary are tolerably intelligible. It is a pity that so much criticism should be wasted on words whose meaning is so obvious when there are other points in the clause of the greatest moment. I think it would be better to leave the sub-section as it now stands and proceed to other subsections.

SIR G. CAMPBELL (Kirkcaldy, &c.): I do not so much distrust the policy of this section as hon. Members below the Gangway. The Chief Secretary says he wants the money to go to the smaller tenants, but will this clause operate in that direction?

THE CHAIRMAN: Order, order!

(10.9.) MR. CONYBEARE (Cornwall, Camborne): I object altogether to the Bill, which I look upon as so much humbug. It is intended to deceive the British people and to give an impression that by the eternal wisdom of the Chief Secretary, the Bill is promoted in the interests of the Irish tenants. I say it is not designed in their interests; it is designed in the interests of the landlords and I want to ask the right hon. Gentleman how he can suggest that he is putting in these words in the interest of the tenants. Can he desire us to believe that he is acting in the tenants' interests when he has passed by the opinion of every hon. Member on this side of the House for Ireland? Surely the right hon. Gentleman will not ask us to believe that he is acting in the interests of the tenants when he is supported by hon. Members like the hon. Member for the Ponsonby Estate——

THE CHAIRMAN: Order, order!

MR. CONYBEARE: Who certainly cannot be said to be a supporter of the tenants. Hon. Gentlemen on this side of the House cheered the right hon. Gentleman when he was introducing this Motion, and they did so for a very good reason, because they know that the effect of this sub-clause will, as pointed out by my hon. Friend the Member for Sunderland, be to deprive of the benefits of the Act the poorer class of tenants. That is the class of tenants we wish to come under the operation of this measure. But the hon. Member for South Hunts and his friends do not desire that. They wish to use the Bill as a weapon for driving out, and getting rid of from their estates, those poor, miserable tenants who find it so difficult to get a livelihood. In their eyes the only justification for this Bill is that it will remove a sore cause of disturbance in Ireland. As has been already pointed out, the effect of this clause, and particularly of this sub-section, will be to render it more difficult than ever for the poorer classes of tenants to become the purchasers of their holdings.

THE CHAIRMAN: Order, order! The hon. Member should address his observations to some Amendment. On the operative clause these remarks would be pertinent, but they are not so here.

MR. T. M. HEALY: In view of what has fallen from the right hon. Gentleman the Member for Newcastle we will not press our opposition to this any further.

Amendment agreed to.

(10.14.) MR. M. HEALY: I wish now to move that the word "county" be omitted, and that in lieu of them we insert "a prescribed area." The right hon. and learned Gentleman the Attorney General was good enough to say that this was a point worthy of consideration, and I will just briefly point out the reasons why I think it should be accepted. Of course, I know that the word county was inevitable, having regard to the financial basis of this Bill, but I think there is no necessity in the case of this particular clause that it should be adhered to. No doubt a county is a unit to be considered as a financial unit, and, therefore, although I strongly object to the use of the word, I have not attempted to alter it in other parts of the Bill. But in this particular case the right hon. Gentleman will see that a county is not at all necessary to his scheme. He would do well to consider whether he could not have some more formal defined area, or even leave the matter undefined and putting it in the power of some authority to define it, when necessary. Now the counties in Ireland differ greatly in area and circumstances, and I ask, what is the necessity for adopting such an un-uniform area as a county for the purposes of this section? Surely, if it is possible for the Lord Lieutenant to discriminate between individuals who are to get benefit under this Bill, there is no reason why he should not also have the power to discriminate between the different districts of a county with regard to making or stopping advances. For instance, take the County of Cork. The right hon. Gentleman knows that that constitutes an enormous area; that it includes districts widely differing in circumstances, and if the Lord Lieutenant saw that considerable purchases had been made under the Bill in the Western Division of the county, and that no purchases had been made in the Eastern Division, why should he not have it in his power to limit the operations of the clause to that particular half of a county in which there had been sufficient advances, and not to cut off the people in the Eastern Division of the county from any participation in the benefits of the Bill? The right hon. Gentleman is aware that some counties in Ireland are divided into ridings. Why should the Lord Lieutenant not limit the operation of the clause to a particular riding. I hope both the right hon. Gentleman the Chief Secretary and the right hon. and learned Gentleman the Attorney General will give attention to this point, because it is somewhat important. My impression is that in the County of Tipperary the two ridings possess distinct financial authorities, and if that is so, that makes it an even stronger case in favour of the Lord Lieutenant having the power there to discriminate. I venture to repeat that there is no reason whatever why the Lord Lieutenant should not declare that for the purposes of this clause, a riding, county, or barony, should be a unit. He might even go so low as an aggregate of townlands. I hold that it would be a considerable hardship in cases of counties with large areas and including populations differing vitally in their social circumstances, such as the counties of Cork and Tipperary, that they should be compelled to be lumped together for the purposes of this clause by the Lord Lieutenant, who, at any rate, ought to be given discretion in the manner I have suggested.

Amendment proposed, in page 6, line 13, after the word "county," to insert the words "or any prescribed portion thereof."—(*Mr. Maurice Healy.*)

Question proposed, "That those words be there inserted."

MR. T. M. HEALY: May I suggest that it would be better for the Government to accept this Amendment, as it imports an elasticity into the clause which is most desirable. The Government can lose nothing by accepting it, and it will make the dealing with large counties like Cork more easy, and, if the Government have any sense, let them prove it by assenting to this.

(10.25.) MR. SEXTON: It must be evident to the right hon. Gentleman that this Amendment imposes no disability on the Lord Lieutenant; it only enables him to exercise his discretion in issuing

a proclamation applicable to only a part of a county. Take, for instance, the County of Cork. It might easily be the case that owing to the action of the landlords in a certain district all the applications for advances under the Act had emanated from one barony. Yet, if this clause is not amended as we proposed, the Proclamation of the Lord Lieutenant would prevent tenants in other parts of the county getting advances under the Bill unless they paid 80 per cent per annum for an indefinite number of years. Surely it would be desirable to let the Lord Lieutenant limit his Proclamation—to a particular barony, for instance.

MR. A. J. BALFOUR: I think it is open to argument whether so large a county as County Cork should be included in one scheme, but it is not open to argument, in my candid judgment, whether the unit which the Government has accepted for general financial purposes should not also be the unit governing the 3rd sub-section. What I desire to do in this clause is to prevent land purchase from going on in any financial area, be that area a whole county or a riding, at a rate in excess of the fund, by giving the Lord Lieutenant power to diminish the immediate benefit while, of course, increasing the ultimate benefit. I do not think the scheme could possibly work. To sub-divide the financial area into arbitrary units at the will of the Land Commissioners and the Lord Lieutenant, would introduce hopeless complication into the whole scheme of the Act, it would induce great confusion and possibly great unfairness, preventing from purchase those who desire to purchase and giving an undue bribe to those who do not intend to purchase to make agreements to purchase. We have no such object. The unit which governs the financial operation of the Bill is the unit we shall retain for purposes of this sub-section.

(10.31.) MR. M. HEALY: The argument of the right hon. Gentleman is that because the county is the unit in some cases therefore it should be the unit throughout, and even where there is no necessity for it. Such is his argument reduced to small compass. What magic is there in the word "county" that does not exist in "barony" or in any other area? If it is well for the Lord Lieutenant to have a discretionary power that he may divert the stream of benefit from this Act from one county to another, why not from one corner of a county to another? Why should not the Lord Lieutenant be allowed to discriminate in the way I suggest? There is nothing in my Amendment to compel the Lord Lieutenant to adopt a smaller or any area. The right hon. Gentleman admits that in county Cork it may be inconvenient to adopt the whole county as one area because it is treated as one fiscal unit in the Bill. Then if there is likely to be this inconvenience why not allow the Lord Lieutenant to do justice between the different parts of the large area? There is nothing compulsory in the Amendment, it does not restrict the power of the Lord Lieutenant, it simply enables him to make a distinction, if he thinks that is necessary. I do not think the right hon. Gentleman meets us in a reasonable spirit, and I am surprised he should take the view he has taken.

(10.34.) MR. KNOX: I hope the right hon. Gentleman will re-consider his decision. If this sub-section is likely to be of any use—and I admit I do not think it is likely to be of much use—it can only be by the adoption of such an Amendment as this proposed by my hon. Friend. The Castle is quite accustomed to deal with counties by parts, the Lord Lieutenant can proclaim a barony or any part of a county under the Coercion Act, and there would be no more difficulty in applying such a declaration as is here contemplated. There is nothing natural in the division of counties in Ireland, and in many cases the division is arbitrary and unnatural. The conquerors of Ireland cut up the country into shires without any regard to geographical contour, natural conditions, historical circumstances, or anything at all but the convenience of the moment. One portion of a county often differs in every respect from another portion. I might mention Antrim for instance. Is there not the widest difference between the constituency the hon. Member for South Antrim represents, and the glen district of Antrim in the North, where the

land is poor and the tenants are poor, where the inhabitants are still Irish, whereas in the constituency the hon. Member represents the people talk very much as they do in Glasgow. It is very probable that in one part of this county the people will take up the advances more quickly than the poorer tenants in another part, and the latter by the time they are able to come to terms with their landlords may find the resources of the county are pledged, and all the benefits of the Act have gone to the South. It is a reasonable Amendment, and I hope it will be insisted upon.

(10.37.) MR. SMITH-BARRY (Hunts, S.): I cannot help thinking it is a reasonable Amendment, and that the Government might accept it. Cork, for instance, is far too large a county to be dealt with as one area, it is virtually two counties. As regards Tipperary I am not quite sure whether for administrative purposes it is not two counties already; the North and South Ridings are quite distinct. Possibly the Chief Secretary might think the matter over and meet the views of hon. Members opposite.

MR. T. M. HEALY: I think I may as well talk until the Chief Secretary is seized of the observations of the hon. Member for South Hunts. We are much obliged to the hon. Member for his assistance, and I hope the Government will now give way on this very small point. It does not amount to very much, and nothing has been said against our proposal. Observe, the words proposed will enable the Lord Lieutenant to do everything he can do under the clause as it now stands, while the words will give a greater amount of elasticity and a discretionary power. The right hon. Gentleman says the whole scheme of the Act is by counties, and I agree that from his point of view there are many reasons why the county is a satisfactory unit; but this clause is divorced from the scheme which governs the county guarantee, and the Exchequer contributions, and other parts of the Bill. This clause only deals with the power of the Lord Lieutenant to prescribe in particular cases that the 80 per cent. shall continue for more than five years. We point out that there are smaller areas to which this clause would be equally applicable. In Cork there is an East and a West Riding, the Recorder has jurisdiction in the East, the County Court Judge in the West. So that, for Civil Bill purposes, there is complete division, though for Assize purposes there is not. In Tipperary there is a North and South Riding, there is an Assize Court at Nenagh and another at Clonmel. The Amendment will admit of the adoption of ridings, or baronies, or other areas; it leaves you free to adopt any area. If the Amendment is now refused we shall be free to move the insertion of the words "riding or barony or other area," and all the arguments may be repeated. I would urge the right hon. Gentleman to accept this, which will enable the Government to carry out their original intention, or to diminish the area as may be expedient or desirable.

(10.41.) MR. J. MORLEY: The unit on which the financial operations of the Bill are based being the county, I quite see there is a certain inconvenience in changing the area. But it has been pointed out that it is in the discretion of the Lord Lieutenant to adhere to the county where it is convenient that that area should be altered. I think, therefore, that the proposed alteration would not be mischievous in the way that has been suggested, and, on the other hand, it will give an elasticity to the system which is highly desirable.

MR. SEXTON: There is an important financial reason why the Amendment should be accepted. The fact that the county is the fiscal unit is in favour of the Amendment. The county is responsible for the default, no matter in how limited an area the default may arise. Though default may arise in one barony only, the whole of the county guarantee is liable. If applied to the whole county, the declaration of the Lord Lieutenant might stop land purchase in that county because of the competition in one barony, and the competition in that barony might have proceeded so far that any default could only occur in the barony, but the liability would fall on the entire county. But if the Amendment were accepted and competition checked in that barony by the imposition of better terms for the security of the State, land purchase

would not be checked elsewhere in the county, and the county generally would be saved from the risk of default.

(10.44.) MR. A. J. BALFOUR: I am free to say that it is with reluctance I hesitate to accept this point, which has been pressed upon me by my hon. Friend behind me, by hon. Gentlemen opposite, and by the right hon. Gentleman the Member for Newcastle, whose moderation I desire to acknowledge. But how does the matter stand? We have determined by the general arrangement of the Bill that to each county of Ireland a certain sum shall be allocated for land purchase. To a share in that sum every holding has an equal right, subject to the limitations of Clause 6, and every tenant and cess-payer is liable for any default. In common justice to the several counties, can we leave to the Land Commissioners, controlled by the Lord Lieutenant, the power which would be given if the Amendment of the hon. Gentleman were carried? As soon as some tenants showed a great desire to purchase, it might be said that some special disqualifications were put upon the portion of the county where that desire was shown, and that other persons, relatively speaking, were bribed to come in. Supposing the Bill were so drawn that the £30,000,000 available for land purchase, instead of allocated as at present, were given to the whole country at large, irrespective of counties, the result might be that one corner of Ireland might absorb the whole amount. Suppose Ireland in that condition, just as a county may be, and suppose this Amendment proposed by me in the Bill—conceive what a shriek would be raised if the Lord Lieutenant were permitted to say to one portion of a county: "You shall pay for ten years instead of five," and to another, "You shall pay for five years instead of ten." The result would be that there would be a congestion of money contributed by the Exchequer in the privileged parts of the country, while the unprivileged would be denuded and deprived of their fair share. I am perfectly sure that if I proposed such a thing I should never hear the last of it, and yet this is what you propose to do in a particular county. Say a county has £1,000,000 allocated to it as a whole, if you pass this Amendment it will be in the power of the Lord Lieutenant to say that this or that part of the county shall not share in the privilege having an equal share in the burden. There would be a congestion of money in certain parts of the county, while other portions of the county would be deprived of the privilege we desire to bestow on the county as a whole. I admit this point is not an essential part of our scheme; but it does appear to me that the argument I have put before the Committee, in no Party spirit and with much reluctance, considering the fair way in which the point has been pressed, ought to convince the Committee that this is not an Amendment we ought to accept.

(10.50.) MR. T. M. HEALY: Does not the right hon. Gentleman see that the Government will have, under the Amendment, all the power they will have under the Bill as it stands? Really, the Government have no point of view worth contending for. Their own supporter, whose zeal is beyond question, the hon. Member for South Hunts, supports the Amendment; so does the right hon. Gentleman the Member for Newcastle, whose moderation is admitted. Why not accept the Amendment, wasting no more time in dialectical performances?

MR. CHANCE: It is a curious argument to use, to say that the result of the Amendment would cause congestion of advances in one part of a county. It could only have such an effect if the Lord Lieutenant wilfully misused the power. The object of the Amendment obviously is to prevent such congestion. A rate to meet default is payable throughout the whole county, and it is desirable that this rate should be recovered with as little friction as possible. But if all the purchases have been at one end of the county, and you send to collect a rate from a locality 40 miles distant, will not the people resent this as an injustice and say, "we and our neighbours have had no advantage from the Act under which you draw this rate?" Take the hon. Member for South Hunts, for example, he, with a number of evicted holdings on his hands, will have to pay the rate arising out of purchases

effected on an estate in a distant part of Tipperary.

MR. T. M. HEALY: I hope the Government will not compel us to go into the Lobby over this point?

(10.58.) The Committee divided:—Ayes 88; Noes 128.—(Div. List, No. 185.)

(11.9.) MR. T. M. HEALY: I now move to insert after "county" the words "or barony," in order to allow the Lord Lieutenant some discretion.

THE CHAIRMAN: After the rejection of the last Amendment, that would not be in order.

MR. T. M. HEALY: I hope, Mr. Courtney, you will not think I am transgressing your ruling if I say that a barony is a definite area. "Prescribed area" might apply not only to a barony, but to a parish or a Poor Law Union, or a riding, or an electoral Division. I submit, therefore, that the Amendment is in order, and I am convinced it is. I do not wish, however, to press it unduly. I think this is a matter in which at least some discretion might be given to the Lord Lieutenant, and that the Government might fairly accept the Amendment. A "prescribed area," Mr. Courtney, might be an entirely different thing from a barony.

THE CHAIRMAN: The hon. and learned gentleman draws a narrow distinction, but as there is a distinction I will put the Amendment.

MR. T. M. HEALY: Well, Mr. Courtney, I thank you. I beg to move the Amendment.

Amendment proposed, in page 6, line 13, after the word "county" to insert the words "or barony."

Question proposed, "That those words be there inserted."

(11.11.) MR. A. J. BALFOUR: I think the hon. and learned Gentleman will see that if the arguments used on the previous Amendments are sound they are sound against his present Amendment. He has contended that the larger tenants will obtain the advantage of priority under this Bill. Take the case of a barony in which there are large tenants and small tenants. He says the large tenants will have priority, and will absorb a great deal more than their fair share of the county guarantee. If the Lord Lieutenant acts on the discretion which the hon. and learned Gentleman wishes to give him with respect to a barony, not one of the poor tenants in the barony will be able to buy at all, according to his own argument, although the tenants of the rest of the county will be able to do so on the ordinary terms.

MR. T. M. HEALY: I will not press the Amendment after the action of the Chairman, but I must call attention to the way in which the right hon. Gentleman has dealt with the matter. He uses words but does not argue. He does not enter into the discussion in a debating spirit at all. He speaks like an orator. With great respect to him, he is not an orator, and I think it would be well if he left discussions of this kind to the lawyers who sit with him on the Treasury Bench.

Amendment, by leave, withdrawn.

(11.15.) MR. KNOX: I have now to propose an Amendment which I think the Government will accept, namely, after "continue," in line 14, to insert, "in the case of holdings of an annual value exceeding £30." This would limit the effect of the sub-section, which is to put a drag on purchase, to the case of the larger tenants. I submit that this is a reasonable proposal, and I hope the Government will adopt it.

Amendment proposed,

In page 6, line 14, after the word "continue," to insert the words "in the case of holdings of the annual value exceeding £30."—(*Mr. Knox.*)

Question proposed, "That those words be there inserted."

MR. A. J. BALFOUR: I agree that the question of the limitation or limitations to be imposed upon the enjoyment of this boon is one for the very serious consideration of the Committee; but any limitation introduced into Clause 6 would of course be applicable to this clause also.

SIR G. CAMPBELL: I shall certainly at every stage of this Bill vote in favour of all restrictions and all drags upon its operations; but I do not understand what is meant by saying that the poorer tenants cannot afford to buy and the richer tenants can. No tenant is required to pay a single fraction toward the purchase. I cannot under-

stand how even the smallest tenant can be under any incapacity to accept the reduction in his rent provided for by this Bill.

THE CHAIRMAN: The hon. Member is speaking totally wide of the question.

(11.20.) MR. CHANCE: Might I point out that the argument which the right hon. Gentleman used on the previous Amendment has considerable force here. He pointed out that while land purchase might be confined to one end of a county, it might also be confined to large tenants, and that there might be no means of applying the measure to small tenants who had not purchased because the large tenants had done so. When the right hon. Gentleman sat down the hon. Member for Cavan rose and moved an Amendment to meet the point—an Amendment which meets the point in every particular—but the right hon. Gentleman refuses to accept it. The right hon. Gentleman may be right as to the amount, and I would ask him to accept words enabling the Lord Lieutenant to fix the amount according to the facts of the case. In Mayo £30 would be considered a large value, while in Meath it would be considered small.

(11.22.) MR. A. J. BALFOUR: The hon. Member finds force in an argument I used, and it is a remarkable fact that force is frequently found in my arguments, but only after the event has happened upon which those arguments had any bearing. To confine the operation of the clause to holdings of over £30 would be to leave occupiers of holdings of under £30 open to all the difficulties and misfortunes which this clause is designed to meet. Let us suppose that you had put some kind of prohibitive or restrictive tariff on holdings of over £30, and you leave those under £30 to get the full advantage of the State loan. The result would be that the small holdings would fight with each other for the money allocated to the county, that the money would not be sufficient to satisfy them all, and that a great many of the tenants would be disappointed. If there is any ground for the drag at all, the reason for it comes in the same when you are dealing with small holdings as when you are dealing with large ones. It may be possible under Clause 6 to deal with the different sizes of holdings; but I would earnestly urge the Committee not to attempt to touch that thorny and difficult question until we come to that section. The Committee should reserve its strength, and the strength of its arguments, until we come to that part of the Bill.

(11.24.) The Committee divided:—Ayes 80; Noes 150.—(Div. List, No. 186.)

*(11.34.) MR. MORTON (Peterborough): I desire now to move the substitution, in line 14, page 6, of the word "more" for "less." As I understand the matter at present the only object of allowing the Land Commission and the Lord Lieutenant together to extend the number of years of which 80 per cent. may be charged, is to put a drag on the operation of the Bill, and in cases to stop advances altogether. I think this section offers a very unsatisfactory method of attaining this end. If you wish to stop advances in any particular county you should take some more direct means of doing it instead of increasing the annual charge for a number of years. I believe it is a very common practice among the Jews—among what are called 40 per cent. men—to adopt this policy, where there is a great demand for money; but I hold that a great Power like Great Britain ought not to descend to such modes. Small holders ought not to be called upon to pay more money simply because the larger tenants have borrowed too much. As far as I am concerned, I disagree with the powers in the Bill given to the Commissioners to charge 80 per cent. for the first five years, and I do not think that either the Commissioners or the Lord Lieutenant should be able to increase the number of years. Hence the Amendment I am proposing. If the Government desire to limit or stop the advances let them devise a more straightforward mode of doing it, instead of following this Jewish plan.

Amendment proposed, in page 6, line 14, to leave out the word "more," and insert the word "less."—(*Mr Morton.*)

Question proposed, "That the word 'more' stand part of the Clause."

(11.38.) MR. CHANCE: I have a similar Amendment on the Paper, although I have a different object in view.

I understand Her Majesty's Government have determined that in all cases they will exact 80 per cent. for the first five years. It is perfectly idle to expect them to alter that decision, for it is intended to make the Act go slower. Now, by my Amendment I do not wish to interfere with the decision of the Chief Secretary not to have a less term than five years, but I wish there should be discretion to make it 6, 7, 8, or 10 years, but not to go beyond that number. Surely that will be a substantial improvement. At an earlier stage the Committee agreed that the purchaser should reap the benefit of his insurance money as far as possible during his lifetime; but if the Lord Lieutenant is to have power to make the abnormal annuity payable for a period of 30 or 40 years, the benefit will be reaped not by the people who make the payment, but by their grandchildren. Therefore, I do urge the Government to agree to a limit of 10 years, or some other reasonable period.

(11.43.) MR. T. M. HEALY: I think my hon. Friend ought to have an answer from the Government.

The Committee divided:—Ayes 153; Noes 71.—(Div. List, No. 187.)

(11.53.) MR. T. M. HEALY: I now rise to ask the Government if they have any objection to do in this Bill as they did in the Coercion Act, and provide that the declaration shall be in the prescribed manner. In the Coercion Act if it were intended to prescribe a barony, certain notices had to be posted in the district. The *Dublin Gazette* may be a very interesting paper, but the country people do not read it; hence I desire that proclamations in this Act should be made in similar fashion.

Amendment proposed, in page 6, line 12, after the word "declares," to insert the words "by publication in the prescribed manner."—(*Mr. T. M. Healy.*)

Question, "That those words be there inserted," put, and agreed to.

Amendment proposed, in page 6, line 15, after "shall," to insert "from the date mentioned in such publication."—(*Mr. Chance.*)

MR. CHANCE: My wish in putting forward this Amendment is to secure in case of necessity that some time shall elapse between the proclamation of a barony and its enforcement.

MR. A. J. BALFOUR: I accept the Amendment.

Amendment agreed to.

Amendment proposed, in page 6, line 15, after the word "all," to insert the word "such."—(*Mr. Attorney General for Ireland.*)

It being midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again to-morrow.

MOTION.

INDUSTRIAL ASSURANCE BILL.

On Motion of Sir Herbert Maxwell, Bill to amend the law relating to Industrial Assurance, ordered to be brought in by Sir Herbert Maxwell and Mr. Chancellor of the Exchequer."

Bill presented, and read first time. [Bill 319.]

BRINE PUMPING COMPENSATION FOR SUBSIDENCE (RE-COMMITTED) BILL. (No. 296.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Tuesday next.

REFORMATORY AND INDUSTRIAL SCHOOL CHILDREN BILL.—(No. 261.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again to-morrow.

SELECTION—STANDING COMMITTEES.

Sir JOHN MOWBRAY reported from the Committee of Selection; that they had discharged the following Members from the Standing Committee on Trade (including Agriculture and Fishing), Shipping and Manufacture: Mr. Buchanan, Mr. Shaw Lefevre, Mr. William McArthur, Mr. Briggs Priestley, Mr. Provand, Mr. Randall, and Mr. Brooke

Robinson; and had appointed in substitution: Mr. Burt, Mr. Childers, Mr. T. E. Ellis, Sir Joseph Pease, Mr. Rathbone, Mr. Round, and Sir George Trevelyan.

Report to lie upon the Table.

IRELAND—CASE OF JOHN CULLINANE.

On the Motion for Adjournment,

MR. T. M. HEALY: I stated during question time that on the Motion for the Adjournment I should raise the question of the treatment of Mr. John Cullinane, of Bansha. He is said to be in a dying condition, or, at any rate, in a most critical state, in Tullamore gaol. He has just undergone a sentence of six months' hard labour—an atrocious and abominable sentence. His imprisonment has just ended, and I think it is characteristic of the policy of Her Majesty's Government that they not only imprison their victims, but they reduce them to such a debilitated condition that they are obliged to detain them in the prison hospital after the the sentence has expired. Now, I gave notice that I intended to bring this matter forward, and I think the Chief Secretary or his Legal Assistant might well have been in the House to answer me. I am glad to see the Attorney General for Ireland entering the House. Can he tell us anything about Mr. Cullinane's condition? The Chief Secretary said he was suffering from a severe attack of influenza. I call it a severe attack of six months' hard prison treatment. He is not now in a condition to be discharged. It is a disgrace to civilisation to so treat prisoners in your gaols as to reduce them to such a condition. The sympathy of this House is claimed for those of its Members who are laid up with influenza. I think Cullinane deserves our sympathy even more. I was told that when he attended the Cork trials the other day, it was noticed that he had been literally reduced to a skeleton. Tullamore gaol has not an enviable reputation. It was there that poor John Mandeville was done to death, and you caused Dr. Ridley, by your treatment of him, to cut his throat. Every warder and official now in the gaol has been placed there because he, it is known, will show no humanity to the prisoners. If your prison system is what you boast it to be, John Cullinane ought to-day to be better physically than when he entered Tullamore. But those who have had experience of Tullamore complain of the insulting behaviour of the warders and the harsh conduct of the doctor. In England you discharge dynamitards when they are at death's door; but you were determined to keep Cullinane in gaol to the very last hour, although you knew you were killing him. His treatment casts even a deeper stigma on it than already attaches to the administration of that gaol.

*(12.15.) MR. MADDEN: A question was asked at Question Time on this subject, when the Chief Secretary gave all the information he had in his possession. I have no further information to give. The information furnished to us is that Mr. Cullinane is suffering from influenza, and is not in a fit condition to be discharged.

DR. TANNER (Cork Co., Mid): I mean to say that if the medical officer at Tullamore had any humanity in his composition, if he had any knowledge of his profession, and if he had made himself acquainted with the type of influenza prevalent in the town of Tullamore, he would have known how it would have affected poor John Cullinane, and would have taken precautions to secure his discharge before he became too ill to be removed. I am sorry to have to speak harshly of any medical man; but this shows to what a deplorable position medical men may be degraded by the action of the Government.

MR. SEXTON: I think that as my hon. Friend gave notice of this question several hours ago, the right hon. Gentleman might have supplemented the unsatisfactory answer then given by information obtained by telegraph. The Attorney General may be acquitted of discourtesy on this point, but the Chief Secretary cannot be absolved from blame. Seeing the terrible ordeal through which Mr. Cullinane has passed, the Government might well have wired for particulars of the last nine hours. We have a right to complain that the Irish Government has not done its duty to-night.

House adjourned at twenty minutes after Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, 6th May, 1891.

QUESTIONS.

IRISH LAND COMMISSION.

MR. LEA (Londonderry, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when the Return relating to the Irish Land Commission, ordered by the House some months ago and stated by him to be laid upon the Table on the 13th April last, will be printed, and what is the cause of the delay?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): This Return is in the hands of the printers, who have been requested to distribute it with all possible speed.

MR. JOHN CULLINANE.

MR. T. M. HEALY (Longford, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the present condition of Mr. John Cullinane, of Bansha, who is in prison in Tullamore, although his sentence has expired?

MR. A. J. BALFOUR: The General Prisons Board report that Mr. John Cullinane and a warder, with several others in Tullamore Prison, are suffering from influenza. I gave that information to the hon. Member yesterday. I have heard, in addition, to-day, that Cullinane is in the prison hospital, and that, in the opinion of the doctor, he is not in a position to be removed. Of course, as soon as he can be removed with safety, he will be. He has the advice of his own doctor as well as of the prison doctor.

MR. T. M. HEALY: May I ask if his condition is as serious as is reported?

MR. A. J. BALFOUR: I have not seen the report to which the hon. and learned Gentleman refers, but I am afraid that he is seriously ill.

MR. T. M. HEALY: I will put a further question to-morrow.

MOTION.

COMMITTEES (ASCENSION DAY).

(12.25.) Motion made, and Question proposed, "That Committees shall not sit To-morrow, being Ascension Day, until Two of the clock."—(*Mr. William Henry Smith.*)

MR. PICTON (Leicester): I do not think that a Motion of this kind ought to be passed without some notice. In the present state of the Business of the House and of our Committees, it seems most absurd that we should pass such a Resolution. It certainly seems to me that these repeated Motions are only inspired by a kind of pious arrogance. How many people are there who observe Ascension Day as a religious observance? No doubt there may be a certain number, and I respect their feelings; but for the right hon. Gentleman and the Government to require the business of Parliament to be delayed on account of these old-fashioned ideas is, I think, rather too much. The right hon. Gentleman knows very well that not only the Business of this House, but that of the Grand Committees upstairs, is much behind. The Grand Committee on Law, of which I have the honour to be a Member, is at the present moment considering a very important Bill, and the loss of two hours, between 12 and 2 o'clock, will occasion not only serious, but perhaps irretrievable, delay. Why should we be compelled to meet at a later hour on Ascension Day? Simply for the recognition of an old custom, and nothing more. The right hon. Gentleman is continually complaining of obstruction; but I should like to know what more gratuitous obstruction there can be than this unnecessary delay of the Business of the House to-morrow simply to pay respect to an old-fashioned observance which is neither regarded nor respected by 1 out of 500 of the people.

(12.27.) SIR W. LAWSON (Cumberland, Cockermouth): May I take the opportunity of asking the right hon. Gentleman if he intends to move the Adjournment of the House for the whole of the Derby Day?

MR. JOHNSTON (Belfast, S.): I feel bound to express my regret that there

are Members of this House who should desire to ignore the recognition of the observance of one of the most sublime facts of Christianity, at a time when even the Japanese, in their new Constitution, are recognising the great doctrines of our common faith, and have selected Christians as their Speaker and Chairman of Committees in their first Parliament. Under such circumstances, it is certainly a strange thing that the British House of Commons should be asked to ignore the proper observance of Ascension Day.

(12.30.) MR. A. ELLIOT (Roxburgh): I fail to see why we should not be good Christians if we meet at 12 instead of 2 o'clock to-morrow. Like my hon. Friend the Member for Leicester (Mr. Picton) I am a Member of the Grand Committee on Law, and I fully agree with all that he has said. Our Committees have a great deal of work to do; we are rapidly approaching the Whitsuntide holidays, and we find it difficult even now to get a quorum. We are asked to sit to-morrow at 2 instead of 12, and as an adjournment will take place at 3, the result will probably be that the entire Sitting will be thrown away. If we are inclined to do our business in a businesslike way, I think we ought to sit to-morrow at the usual hour. We can very well spare the few Members of the Committee who would wish to attend church. But in the case of Private Bills the case is still stronger. It becomes a serious question of expense. Witnesses have been brought to London, and counsel have been engaged, and it would be absurd to throw away the money of the parties concerned for a reason which is no real reason at all.

The House divided: — Ayes 110; Noes 32.—(Div. List, No. 188.)

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

[Sir JOHN GORST in the Chair.]

Clause 5.

Amendment proposed, in page 6, line 15, after the word "all," to insert the word "such."—(*Mr. Maurice Healy.*)

Question proposed, "That the word 'such' be there inserted."

Mr. Johnston

(12.40.) MR. SEXTON (Belfast, W.): This clause has now got into a very complicated condition; and as the Amendments are not inserted in the Bill as they are passed, it is difficult to understand how the clause reads. Perhaps the Chief Secretary will be able to inform the Committee of the position in which the sub-section stands. Is the clause in such a condition that it will be competent for me to move a limitation as to the number of years during which the declaration of the Lord Lieutenant is to run? Perhaps the Attorney General for Ireland will be able to inform me.

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I think that it will be quite competent for the hon. Member to move his Amendment at the end of the page.

MR. SEXTON: I can move, after the words "chargeable on any holding the agreement for the purchase of which has been signed," an Amendment, providing that there shall be a limitation of two years?

MR. MADDEN: Yes.

Question put, and agreed to.

MR. SEXTON: I beg to move the Amendment which stands in the name of my hon. Friend the Member for Cork (Mr. M. Healy), namely, to leave out the word "commencing," and insert "as are chargeable on any holding the agreement for the purchase of which has been signed."

(12.45.) MR. T. M. HEALY (Longford, N.): I would suggest that the words "and made" should follow the word "signed."

MR. MADDEN: I have no objection to the insertion of the word "made."

Amendment proposed, in page 6, line 16, to leave out "commencing," and insert "as are chargeable on any holding the agreement for the purchase of which has been signed and made."—(*Mr. Sexton.*)

*SIR J. GOLDSMID (St. Pancras, S.): If the agreement has been signed it certainly has been made, and, therefore, both words are not necessary.

MR. MADDEN: I think it would be better to leave out "signed," and simply say "made."

Question, as amended, put, and agreed to.

(12.47.) MR. SEXTON: I beg to move to add to the sub-section as it now stands the words "within two years." In the sub-section as it originally stood the Lord Lieutenant had unlimited power to make the declaration at any time. We have succeeded in showing the Government in a practical way that the scheme would never work on those lines, and the right hon. Gentleman has agreed to put it in a different form. As the case now stands, the Land Commission is to report to the Lord Lieutenant, and the Lord Lieutenant must be satisfied that there is a probability of agreements of a substantial character being entered into. That being the state of affairs, we are to consider under what circumstances an experimental declaration is likely to be carried out. The Lord Lieutenant, by an experiment, can test how many tenants in the county are willing to enter into agreements, and whether the rest are likely to take up the balance and pay the 80 per cent. per annum. This being an experimental case my Amendment is intended to limit the declaration of the Lord Lieutenant to a certain number of years. Why is a declaration to be issued at all? It is because you expect the tenants of the county to take up the whole balance upon your terms. But it is possible that you may be mistaken. Although one-fourth of the occupiers may be ready to enter into agreements, it does not follow that the remaining three-fourths will be willing; and if it turns out that the tenants of the county are not prepared in such numbers as are proposed to take up the balance of the money on your terms, the result would be that, to a great extent, land purchase would be killed in that county. Therefore, I submit with great confidence that you ought to make the declaration in such a form that you may be in a condition to retrace your steps if necessary, and I suggest that the declaration should apply to all annuities commencing within two years and the date of issue. The effect would be to give to every tenant in the county who was willing to pay 80 per cent. for five years the opportunity of making a proposal; and if the other tenants wished to take up the balance, they would have two years in which they would be able to do so. The experiment would thus be fully tried, and you would be able to satisfy yourselves at the end of two years whether the tenants were willing to accept your terms or not. If the majority of the tenants were found to be unwilling to make the declaration, whatever balance of money might remain should be allowed to become available in the ordinary terms of the Bill for the rest of the tenants of the country.

Amendment proposed, in page 6, line 16, after the foregoing Amendment, to insert the words "within two years."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

(12.53.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): May I ask where the hon. Member proposes that these words should come in?

MR. SEXTON: After the Amendment that has just been accepted.

MR. A. J. BALFOUR: I must say that, as far as I have been able to understand the matter, the speech of the hon. Member does not agree with the Amendment which has been put from the Chair, or which stands on the Paper. As I understand the Amendment, it provides that after the Lord Lieutenant has made a declaration two years are to elapse.

MR. SEXTON: The right hon. Gentleman is in error. It is the other way.

MR. A. J. BALFOUR: It was never intended that the provision should be irrevocable, because there can be no ground for believing that the Lord Lieutenant will be more free from possible error than we are; but I do not see why the declaration should be fixed for two years. The Lord Lieutenant may find out that he is wrong in less than two years, and this Amendment, as it stands, would give no power to the Lord Lieutenant to alter the terms.

MR. SEXTON: My words would be "not exceeding two years." Can the Lord Lieutenant issue more than one declaration in regard to one county? In the event of my Amendment being accepted and the Lord Lieutenant issues a declaration, it must expire within two years, and at the expiration of that period a new declaration might be issued. I allow two years in order that the Lord Lieutenant may find out whether the tenants are willing

to take up the balance; and if it turns out that they are not willing, then I say that the balance should be taken up on ordinary terms.

MR. A. J. BALFOUR: I do not think it is desirable to diminish the discretion of the Lord Lieutenant by putting in the term of two years, but I do not think that we differ very much in our object. Perhaps the best course would be to propose an Amendment on the Report.

MR. SEXTON: I do not think that that would quite meet the case. What I desire is that every tenant in the county should know that there is a time within which he should apply, if he wishes to come within the terms of the declaration. If the Lord Lieutenant finds out, in the course of six months, that there is no disposition to make bargains under the terms of the declaration, he should have the power of withdrawing it. I feel bound to press the Amendment.

SIR W. PLOWDEN (Wolverhampton, W.) supported the Amendment.

(1.0.) MR. CHANCE (Kilkenny, S.): May I point out that this Amendment does not in the slightest degree limit or interfere with the discretion of the Lord Lieutenant; it merely compels him to re-consider his determination at the end of the second year, and to make a fresh order if he wishes to. It does not affect any bargain made under the terms of the order; it only directs that when that order has been in force two years it shall expire, and the Lord Lieutenant has unfettered discretion as to making a fresh order. It relieves him, too, of the duty of publishing an order to revoke one already existing.

MR. MADDEN: The Amendment of the hon. Member would import a limit of duration into the order. I am prepared to agree to the insertion of words making the order revocable at the Lord Lieutenant's discretion, but we cannot agree to a definite limit of two years.

MR. SEXTON: I am sorry the Chief Secretary will not listen to the arguments we are advancing in support of the Amendment. It has no relation whatever to the number of years during which the Lord Lieutenant shall declare the higher annuity to be payable. We are not at all concerned with that at present. We want, in the first place, that when a proclamation is issued in a given county, and one-fourth of the authorised advances has been paid out, the tenants shall be allowed a short time to consider whether they will abide by the terms of the declaration. You ought to fix a definite period within which tenants may elect to pay the higher rate of annuity; and when that period has elapsed, and you find the loans are not taken up on those terms, then the tenants shall have the option of securing advances on the normal terms. Therefore, I ask that the declaration shall be terminable at a certain date, and that no further declaration shall be issued if it be found that the tenants are not willing to pay the 80 per cent. for more than five years.

(1.7.) MR. A. J. BALFOUR: I think we have now arrived at a point at which we can detect where we agree and in what we disagree. The hon. Member prefers that the Lord Lieutenant should have only one chance of trying this experiment, and that the period allowed for the trial should only be two years. If it did not succeed then the ordinary terms of the Bill would be reverted to, and the Lord Lieutenant would have no further power to interfere. I do not think that that would be in accord with the intentions of the framers of the clause, and I cannot advise the Committee to accept it. I say that the Lord Lieutenant in dealing with this matter should be able to introduce into the working of this abnormal annuity machinery a certain amount of elasticity, and that he should have a general control over it. The presumption is, that when he makes a new arrangement, he makes it on the advice of the Land Commission after mature consideration. The probability is that he will be right in his judgment, and, therefore, the Order should exist for an indefinite period. If he find he is wrong he will have the power to revoke the order, and retrace his steps. Therefore, we ought not to fetter his discretion by introducing an arbitrary regulation limiting the experiment to two years.

MR. SEXTON: Whenever I have found it possible to come to any tolerable arrangement with the right hon. Gentleman, I have never hesitated to do so. Now, I think this matter would be substantially closed in two

years; for if the tenants are willing to pay the abnormal annuity for more than five years, they will signify their readiness by at once applying for the advances. If the right hon. Gentleman, with an apparently untameable desire to give arbitrary power to the Irish Government, persists in refusing the limit, let him do so, but I must say I think he is unreasonably obstinate. But let him make this concession, that when the experiment has been tried for two years, and it has been found that the tenants are not willing to take up all the advances on the higher terms, let there be a period within which the general body of the tenants of the county may have an opportunity of getting loans on the easier terms set forth in the Bill.

MR. A. J. BALFOUR: The hon. Gentleman accuses me of being unreasonably obstinate. He has on more than one occasion described the great alterations made in this clause through his own efforts and those of his friends; surely, then, he is not entitled to indulge in two criticisms at once, and accuse me of being obstinate, when I have so often given way. It really seems to me that this is one of the most absurd proposals possible. It gives the Lord Lieutenant power to order the 80 per cent. to be paid for 10 years, and then revokes the order at the end of two years.

MR. SEXTON: I never said a word to that effect at all. My Amendment was never intended to interfere with the number of years the Lord Lieutenant might order the abnormal annuity to be paid in.

MR. A. J. BALFOUR: But that will be the effect. At any rate, this is a proposal that the Lord Lieutenant shall only be allowed two years in which to try the experiment, and at the end of that time he will be pledged to revert to the former terms.

MR. CHANCE: Or to issue a fresh proclamation.

MR. A. J. BALFOUR: Surely that would be most unreasonable. It is quite obvious that if the tenants knew the declaration must come to an end at the expiration of two years, they would refrain from applying for loans during that period. They would say "The Lord Lieutenant is bound to go back to the original terms after two years, and we will compel him to do it by not accepting advances on the higher rates." That is not giving the experiment a fair chance, and we should be most foolish if we accepted a plan which transparently does not give the experiment the slightest chance of being successful. Therefore, I hope I am not actuated by unreasonable obstinacy in resisting the Amendment.

(1.15.) MR. SEXTON: The right hon. Gentleman says the Amendment is absurd, yet a more hollow and more foolish argument than his was never put before the Committee. Take the case of a county to which the proclamation will apply. One-fourth of the capital authorised to be advanced has been taken up. The theory upon which the declaration is issued is that the Land Commission and Lord Lieutenant both consider that the tenants of the county are so eager to purchase that there will not be sufficient money to satisfy the applications. Therefore, loans shall only be made to those willing to pay the higher terms. Now, the right hon. Gentleman says that if the declaration were limited to two years' duration, no tenants would apply for a loan until it had expired. Surely that could not be the case. There would be such a competition for the loans that each tenant instead of remaining out would rush in, in fear that his neighbours would be before him, and take his chance of purchasing under the Bill. The fact is, the tenants would be too doubtful and distrustful of one another to let there be any risk of a combination such as the right hon. Gentleman suggests. They would be afraid that if they waited the two years some of their fellows might creep in before them and accept the higher terms.

(1.17.) MR. CHANCE: I am afraid the right hon. Gentleman is still under a delusion as to what would be the effect of this Amendment limiting the order to two years. I submit it would not at all interfere with the working of the order itself. It would be perfectly valid for that time, and it would be open to the Lord Lieutenant, at the end of the term, to issue a fresh order if he thought fit. The Amendment simply calls on the Lord Lieutenant to consider if it is wise to renew the order after it has been in force for two years. If the Lord Lieutenant thought there was a combination among the tenants to

refrain from applying for advances until the two years had expired—in order to get the loans on the lower terms—he might easily issue a fresh order a week before the expiry of the first one, and thus he would defeat the object of the tenants. I say the Amendment does not in the slightest degree fetter his discretion. I believe the real object of the right hon. Gentleman is to make the procedure under this Bill correspond with the procedure as to Proclamations under his Coercion Act. He wants to be able to proclaim a district if he thinks the tenants are combining to prevent the working of the Act, and he would like to see published, side by side, the Proclamation against dangerous tenants' association and the Proclamation increasing the term of years in which the higher annuity shall be payable, the latter being a penalty imposed on the tenants for combining to defeat his Bill. Will he agree to incorporate Section 13 of the Crimes Act in this clause, so that he may be obliged to revoke the two Proclamations simultaneously? That would at least give him an intelligible reason for refusing to accept this Amendment.

MR. M. HEALY (Cork): The peculiarity of the arguments of the right hon. Gentleman is that they are mutually self destructive. He objects to the Amendment that it would be fatal to the whole clause, yet the theory on which the clause is defended is that the tenants will be so eager to take advantage of the provisions of the Bill that some drag will have to be put on to prevent the money being too rapidly exhausted. He suggests that these eager tenants will combine not to apply for advances. Why, it is idle to suggest that they would be in such a frame of mind as to be willing to let the Bill be inoperative under the Lord Lieutenant's Proclamation. The right hon. Gentleman says it is desired to make the powers of the Lord Lieutenant as elastic as possible. But there is absolutely no elasticity in this sub-clause, or, indeed, in any portion of the clause. The whole efforts of the right hon. Gentleman have been to make it as inelastic as possible. First, the order was to be irrevocable, and it was on our suggestion that that blunder was rectified.

Mr. Chance

MR. A. J. BALFOUR: Not at all.

MR. M. HEALY: I say that the clause as it stands is absolutely inelastic; the Lord Lieutenant has only power to issue an order at present, and he can neither revoke nor modify it. Of course, we know that the Attorney General for Ireland has agreed to alter that, but I say we are entitled to the credit for pointing out the error.

MR. A. J. BALFOUR: No.

MR. M. HEALY: I cannot understand why the right hon. Gentleman should thus contradict me. Now, in regard to this Amendment, I say the only effect will be to enable the Lord Lieutenant to consider whether the order is working satisfactorily at the end of two years, and it will throw a little trouble on the officials at Dublin Castle.

(1.29.) Mr. T. M. HEALY: The Government have got into their heads a suspicion that all our Amendments are objectionable. The right hon. Gentleman says if this Amendment were carried the tenants would lie low for two years. But is it not the fact that if the Amendment were accepted the effect would be that the Government would get a more desirable class of tenants applying under the Bill—tenants willing to pay the higher annuity? The Government desire a particular and a more respectable class of tenants to buy. Would not they be the persons to give the highest amount of money? By issuing your order, terminable in two years, would not the more respectable body of tenants be the earliest to rise to the fly; are they not the very fish you want to capture? If the Amendment is not accepted, the Lord Lieutenant will make an order, which will be non-expirable for anything we know. My hon. Friend's Amendment is really one in ease of the Government's position: it enables them to capture a desirable class of tenants; it gives time for this class of tenants to come in, and it prevents the great body of tenants from being shut out. May I suggest a case by way of precedent? When Mr. Forster's Coercion Act was passed, it was enacted that it should last for two years. We moved an Amendment—and we received very great assistance in those days from the present Chief Secretary—providing that Mr. Forster and the then Lord Lieutenant, Lord Cowper, should

revise every three months the warrants committing the suspects. In the same way the fact that these Proclamations expire mechanically every two years will bring to the mind of the Lord Lieutenant the knowledge that certain counties are in a particular position. As far as I can see, all the argument is on the side of my hon. Friend.

(1.35.) The Committee divided:—Ayes 58; Noes 119. (Div. List, No. 189.)

(1.46.) Amendment proposed,

In page 6, line 19, after "tables" to insert "and the Lord Lieutenant on the Report of the Land Commission, may from time to time, if he thinks it expedient for the reasons aforesaid, by a subsequent declaration revoke or vary any such declaration, and make a new declaration under the provisions of this section, but no such subsequent declaration shall affect any annuity chargeable upon a holding under an agreement made after the date mentioned in such declaration."—(*The Attorney General for Ireland.*)

MR. SEXTON: Perhaps it would be convenient if we now adjourned for a short time. This is a long and complicated Amendment, and during the adjournment we might get a copy of it, and discuss it amongst ourselves.

THE CHAIRMAN: I will leave the Chair for a quarter of an hour. (1.48.)

(2.15.) MR. SEXTON: The Committee, Mr. Courtney, are indebted to you for allowing an interval at an unusual time, and that short interval has given us the opportunity of examining the Amendment suggested by the Attorney General for Ireland. To the sub-section as it stands it is proposed to make this addition:—

"The Lord Lieutenant, on the Report of the Land Commission, may, from time to time, if he thinks it expedient for the reasons aforesaid, by a subsequent declaration, revoke or vary such declaration, and make a new declaration under the provisions of this section; but no such subsequent declaration shall affect any annuity chargeable on a holding under agreement made before such declaration."

Of course, it is necessary that the revocation or variation shall be as formal as the declaration itself, and I would suggest the addition of the words "published in the prescribed manner."

MR. MADDEN: That will not be necessary—it naturally follows.

Amendment agreed to.

(2.20.) Amendment proposed,

In line 19, after the last Amendment, to insert "provided that any such declaration shall not come into operation till it has been before both Houses of Parliament for not less than thirty days, nor if either House passes a Resolution objecting to it."—(*Mr. M. Healy.*)

Amendment agreed to.

MR. M. HEALY: I wish to move another Amendment at the end, in these terms:—

"Provided that the number of years mentioned in any such declaration made under this section shall be such that the purchase annuity shall not cease at an earlier period than thirty-five years from the commencement of such annuity."

It appears to me that it is quite possible that some very strange results might flow from the order of the Lord Lieutenant. It is conceivable that he might make such an order that an annuity would be paid off in a very small number of years—from 10 to 30 years. But this is a state of things not contemplated. The Act of 1881 fixed 35 years as the period of a normal annuity, and I think it is desirable to fix that as the minimum period in this case.

Amendment proposed,

In page 6, line 19, after the foregoing Amendment, to insert the words, "Provided that the number of years mentioned in any declaration made under this sub-section shall be such that a purchase annuity shall not cease at any period earlier than thirty-five years from the date of the commencement of such annuity."—(*Mr. Maurice Healy*).

Question proposed, "That those words be there inserted."

(2.24.) MR. A. J. BALFOUR: The Committee would be well advised not to accept this Amendment. If you allow a great variety of years there must be inequality between the purchasers, and I am persuaded it would be better not to introduce the inequality in this form. The hon. Member seems to think there is something magical in the term of 35 years.

MR. M. HEALY: It was adopted as a minimum in the Land Act.

MR. A. J. BALFOUR: It was arranged in the Act of 1881, but it will be observed there is a great difference in the cases and, as we think, the principle in the Bill is a better one. We proceed on the principle that the majority of tenants will buy under 20 years' purchase, and there is nothing unfair in a man having the advantage of a State loan and paying it off so as to

become sooner the full proprietor of his holding. It is better, I think, to stick to the scheme of the Bill and not introduce this.

(2.27.) MR. SEXTON: The right hon. Gentleman does not dwell on the number of those who are likely to have their old rents increased. He denounced a proposal of mine to provide an Insurance Fund ,by adding 10 per cent. all round, and was then under an impression that a considerable number of tenants would buy at 25 years' purchase.

MR. A. J. BALFOUR: I never thought that any considerable body of tenants would buy at 25 years.

MR. SEXTON: I do not think he would have denounced my proposal to such an extent if he had thought that only a few tenants would be concerned. However, the reason why the Amendment of my hon. Friend refers to the period of 35 years is that in all the acts preceding the Ashbourne Act, annuities were fixed as payable in 35 years. Now it is decided that the basis of that annuity is too short. We all understood that the object of this new legislation, was to give the Irish tenant a better position than he would have had under the previous Acts. My hon. Friend says the present legislation will be less favourable to purchasers in Ireland, than even the effete purchase legislation of 1870 and 1881. That legislation gave the tenants 35 years in which to redeem, whilst under this Act the Lord Lieutenant may reduce the term for re-payment even more than that. My hon. Friend desires to secure that the term of re-payment shall not in any case be less than 35 years. The right hon. Gentleman speaks of inequalities. Any inequalities will be due to the Government themselves, who have in this section introduced the germs of inequality—germs which may develop into frightful injustice to the tenant. My hon. Friend proposes to redress the inequality. Unless the Government look carefully into this matter before we go further, I think they will be in great danger of landing themselves in a very uncertain position. Take the case of a £5 tenant, who buys at 15 years' purchase, which is now about the average rate. You will advance him £75. His annuity will be £3, and out of that 15s. a year will go to redeem the principal sum. Fifteen shillings a year will, accumulating for 49 years, redeem the whole of the purchase money. Under this sub-section you will levy, under the name of insurance, £1 a year, the whole of which will go to redemption. You will therefore increase the amount applicable to redemption from 15s. to £1 15s. If the process be continued for a considerable period after the first five years, the tenant will redeem, not in 49 years, but in less than half that period. Does the right hon. Gentleman contemplate that? If he does, I have nothing more to say. If he does not, are we not right in trying to make provision against it? Then, take the case of a tenant who pays 10s. a year to the Sinking Fund, and who will be obliged to pay £2 a year as insurance. In that case, the sum applicable to redemption will be not 10s., but £2 10s. a year, and the principal sum will be redeemed in 9 4-5th years, instead of 49 years. So that actually, if the Lord Lieutenant were in such a case to declare that the insurance payment must continue for 10 years, the purchaser would actually redeem the whole of his principal sum before the 10 years were over. I submit that the clause as it stands is absurd.

(2.37.) MR. A. J. BALFOUR: The hon. Member who has just sat down spoke in accents of ill-concealed horror about the possibility of a man being asked to pay a debt in 10 years. It seemed to him a terrible catastrophe that a man should be asked to occupy a holding at 20 per cent. less than he ever paid in rent, and should have the further privilege of becoming absolute freeholder at the end of 10 years. Well, Sir, it seems to me that the sooner we can make these people freeholders the better. What did hon. Gentlemen opposite say over and over some time ago? They said: "You talk of making these men peasant proprietors, but never in their life time will they be peasant proprietors. For 49 years they will be tenants under another name and under a different landlord." I should have thought that their own views of what is expedient would be amply carried out by a provision which cannot inflict a hardship on any tenant beyond that of paying 20 per cent. less than his rent.

An hon. MEMBER: A new scheme.

MR. A. J. BALFOUR: It is not a new scheme. It has been on the face of the Bill since it was introduced. I am afraid I do not contemplate the probability that the Lord Lieutenant will find that the anxiety to purchase is so great that such a scheme can be carried out, but if it is possible, I should regard it as an unmixed advantage, not merely in the interest of the man who would become a full proprietor in 10 years, but in the interest of the other tenants in the same locality who would be able to buy much sooner than would otherwise be possible owing to the repayment of the money. I should therefore rejoice to see the Lord Lieutenant in a position, subject to the conditions provided for in the clause, to take advantage of the section.

(2.39.) MR. T. M. HEALY: The right hon. Gentleman ought not to have stopped at all. He has told us what magnificent advantages the tenants are to get under this snake-in-the-grass clause, which we have not hitherto understood. They may become proprietors in 10 years. Why did not the right hon. Gentleman go one step further and make the tenants pay their money down on the nail so that they might become the absolute owners of their holdings in five minutes? Lend them the money for five minutes and then your British bounty will remain exactly where it was, and they will receive the magnificent advantage—after having paid a visit to the gombeen man and gone into the Bankruptcy Court—of becoming proprietors at once. Maskelyne and Cooke could not beat it. We have been told all along that the great advantage the Irish get from this Bill and from the British connection was that you, the generous and beneficent English people, were willing to lend us your money for 49 years so that we might be able to buy our farms on cheaper terms and for a less annuity. That is our point. It was on that point that the hon. Member for Cork (Mr. Parnell) went about bragging that this Bill gave 150,000 tenants of Ireland a reduction of 40 per cent. on their rents. But what does the Chief Secretary now do? He brings in this clause which probably the hon. Member for Cork never heard of, and probably would not understand if he did hear of, to provide that the tenants shall get a reduction of 10 per cent. or 9½, or 8, or even less. The Lord Lieutenant may say "I will make you pay the whole thing. You shall only get a reduction of 5 per cent.—and you must pay the whole thing back in five or seven years." It seem to be impossible, with this wire-drawn intellect of the Chief Secretary, for him to understand us, or us him. You may pay back the principle and interest in 10 years, but you may make yourself bankrupt by so doing. You bragged that you were going to give us this money for 49 years, and it is mere juggling for the Chief Secretary to get up and say "Under the Bill we are willing to grant you the money, but you can only have a reduction of 10 per cent. as you must repay it in 10 years."

MR. A. J. BALFOUR: Twenty per cent.

MR. T. M. HEALY: Well, 20 per cent. The tenant might not borrow the money from the State. He would be the best judge of what would be most to his own advantage. If a tenant is in the happy position of wishing to become a tenant proprietor in 10 years, and was able to stand the racket, he would find a portion of this capital himself, and thereby shorten the term of repayment. "No," says the Chief Secretary; "I will by my rule of thumb make the whole of them repay in ten years." That is what the Lord Lieutenant will have to do. I could have understood it if the Chief Secretary had accepted our Amendment, fixing a small area for this transaction. I am amazed that the Amendment has not been accepted, because, really, I thought it was simply a drafting Amendment. As in the Acts of 1870 and 1881, 35 years was the period fixed, and as the great and benevolent Tories are in power, I thought they would not be meaner than the Liberals. I thought the Saxon smile on the face of the Tory would be at least as broad as the Saxon smile on the face of the Liberal. I should have thought we were entitled to expect that the present sort of smile that we were supposed to be so enamoured of was to last 35 years at least. It seems it is not to last so long, but only for 10 years. It will be a pretty prospect for the tenants, who are under the impression that they will have 49 years for the repayment, to find

the Earl of Zetland come in some day from golfing or a hunting expedition, and, acting under the advice of his friends of Kildare Street Club, declare that they shall pay back the money in 10 years.

(3.47.) MR. CHANCE: The success of this Act depends entirely on tenants getting cheap money. They could not borrow in the open market at 2¾ per cent. interest. They would have to pay 5 or perhaps 10 per cent.; and therefore the longer you leave the money with them at that low rate of interest the greater benefit you will confer upon them. The more rapidly you take away the cheap money from them the less advantage it will be. Under the Ashbourne Act you lend the money cheaper than they could get it in the open market, and the difference to the tenant is the price he would have had to pay to the gombeen man and the price he will have to pay the Government. It is admitted that the tenants who pay 20 years' purchase will, as a rule, be tenants who are well off, on good holdings of a substantial character. This clause will not affect such a tenant, who will get the benefit of your cheap money for 49 years. The small tenants on mountain holdings who pay 10 years' purchase will be the people most affected—and they will pay 10 years' purchase because the annuity of 4 per cent. on the 10 years' purchase will represent what the Land Commissioners believe to be the annual value of the holding, the nominal rental being largely a paper rental. How will this provision operate on these tenants? They are the men who want cheap money; but the poorer the men the more speedily you take it away from them. You leave them with nothing with which to stock their holdings. The longer you leave the money in the pockets of these poor tenants the longer you keep them out of the hands of the gombeen man. The hon. Member for South Tyrone has been contending for equal treatment, and we have heard a great deal in other quarters about equal treatment to all the tenants, but the proposal in question will have a contrary effect, for it will deprive the poor and small tenant of the advantage of cheap money and give it, without reason, to the richer tenants. The longer, I say, the money is left with the poor tenant the greater the advantage to him.

Mr. T. M. Healy

MR. ARTHUR BALFOUR rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

(2.55.) The Committee divided:—Ayes 130; Noes 77.—(Div. List, No. 190.)

Question put accordingly, "That those words be there inserted."

(3.5.) The Committee divided:—Ayes 88; Noes 134.—(Div. List, No. 191.)

*(3.12.) MR. KNOX (Cavan, W.): I beg to move, in line 19, the words—

"Provided that a declaration under this sub-section shall not apply in any case in which the number of years mentioned therein would cause the annuity to cease at a period earlier than 20 years from the date of the commencement of such annuity."

I want to provide that in the more extreme cases of injustice which may occur, the Lord Lieutenant, in making a declaration, shall have some discretion. Under the last Amendment the Lord Lieutenant was given no discretion. The Chief Secretary has referred to the experience of the Acts of 1881 and 1890, and as he truly observed the term of repayment was so short that the tenant got practically no reduction. Under the Act of 1881 the tenant had to pay 5 per cent. on the amount advanced to him for 35 years. He had besides to pay one quarter of the purchase money out of his own pocket. It is not accurate to say that under the Act of 1881 the tenant's rent was necessarily increased, or his annual payment was necessarily increased after he purchased. In many cases he got a slight reduction, but so slight that it did not encourage the tenants to buy, and only about half a million of money was advanced under the purchase clauses of those previous Acts. If this provision is insisted upon it will prevent land purchase in very many cases. Take the case of the tenant in the West of Ireland, to whom the Land Commission have, as it is, refused to make an advance of more than seven years' purchase. I have been informed of such cases. Under the Bill as it stands, if in a county where such a tenant existed the Lord Lieutenant was to make an order that for the first

ten years the annual payment should be less by 20 per cent. only than the full annual value, in that case the tenant who bought at seven years' purchase might actually have repaid the whole of his purchase money within seven years. The Chief Secretary says that would be no injustice, because he would be paying all the time 20 per cent. less than the rent. But I contend that that is not so. The right hon. Gentleman says that in the case of tenants who buy so cheaply, the reason they buy is that they have not been able to pay their rents regularly before, so that the landlord has had a large number of bad debts and is ready to take seven or 10 years' purchase. That may be so, though I do not think that is the real reason of a low rate of purchase. But if it is so, according to the right hon. Gentleman's statement, the rents these men pay are a great deal less than the nominal rent. Take the case of a man who buys at 10 years' purchase. We will assume that the landlord sells at that number of years' purchase, because for the previous three years he has not received from the tenant more than on an average half his rent. In that case the tenant, instead of getting a reduction under the Bill as now framed, would pay for the first five years or 10 years, and we do not know how many years, more than he was paying for the 10 years previous to the purchase. In that condition of affairs land purchase would be impossible. I beg to move my Amendment.

Amendment proposed,

In page 6, line 19, after the foregoing Amendment, to insert the words, "Provided that a declaration under this sub-section may provide that it shall not apply in any case in which the number of years mentioned therein would cause the annuity to cease at a period earlier than 20 years from the date of the commencement of such annuity." — (*Mr. Knox.*)

Question proposed, "That those words be there inserted."

(3.21.) MR. A. J. BALFOUR: I think it would be insulting to the Committee to go over the ground which has been so often traversed in these Debates. I beg to ask you, Mr. Courtney, whether it would be in order to move that the remainder of the sub-section stand part of the clause?

THE CHAIRMAN: That Motion can only be made after the Closure of the Amendment now under discussion.

MR. A. J. BALFOUR: Then, Sir, I beg to move that the Question be now put.

MR. M. HEALY: Is it in order, Sir, to move the Closure, not for the purposes of Closure, but in order that a subsequent Motion may be made?

THE CHAIRMAN: That depends on the discretion of the Mover and the discretion of the Chair.

Question put, "That the Question be now put."

(3.25.) The Committee divided:—Ayes 139; Noes 91.—(Div. List, No. 192.)

Question put accordingly, "That those words be there inserted."

(3.35.) The Committee divided:—Ayes 103; Noes 152.—(Div. List, No. 193.)

MR. ARTHUR BALFOUR rose in his place, and claimed to move, "That the word 'Where' in page 6, line 20, stand part of the Clause."

Question put, "That the Question that the word 'Where' stand part of the Clause, be now put."

(3.45.) The Committee divided:—Ayes 165; Noes 105.—(Div. List, No. 194.)

Question put accordingly, "That the word 'Where' stand part of the Clause."

(3.55.) The Committee divided:—Ayes 170; Noes 112.—(Div. List, No. 195.)

(4.5.) MR. SEXTON: After the word "Where," first passed, I beg to move the insertion of the words "the whole or a part of." This sub-section deals with the circumstances under which a purchaser who has fallen into default with his annuity may obtain relief out of his insurance money. It provides that the whole or part of the arrear may be provided out of the insurance money, or any part thereof; but the words of the opening line of the clause are dangerously general in their character.

Amendment proposed, in page 6, line 20, after "Where" to insert "the whole or a part of."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

MR. MADDEN: I do not think the Amendment is necessary; but the words are unobjectionable, and I will accept them.

Question put, and agreed to.

MR. SEXTON: The next Amendment, standing in my name, deals with the circumstances under which the Land Commission agree to make good the arrear out of the insurance money. I think the cumulative provisions, as to the things about which the Land Commission must be satisfied, are excessive. If it is made necessary for the Commission to find exceptional circumstances, as well as the absence of fault, the Commission may be debarred from granting relief. I would, therefore, suggest that the right hon. Gentleman should adopt my Amendment, which would introduce the language used in the Bill of last year.

Amendment proposed,

In page 6, line 22, to leave out from the words "such arrear," to the word "set," in line 24, and insert the words "arose from some cause other than the proprietor's own conduct, act, or wilful default, and that there is reasonable ground for so doing may."—(*Mr. Sexton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

(4.9.) MR. A. J. BALFOUR: The language of last year's Bill was departed from deliberately in this matter. It would not, I think, be wise to enable the purchaser to ask for relief on the ground of permanent circumstances. Of course everyone is aware of the extreme difficulty of discovering what are the true facts when the tenant applies to the Land Commission for relief. It is very easy for him, even in good faith, to allege grounds why he should receive special treatment, when in truth such grounds do not exist. It is impossible for anyone who has had to deal with Irish distress not to realise this. I think, therefore, we ought to specify the character of the inability to pay with which we wish to deal. That inability is not chronic, but occasional and sporadic. It is not to be due to any permanent defect in the holding, for instance, but to loss of capital, to seasons either extraordinarily wet or extraordinarily dry, or otherwise of a kind to produce exceptional distress on the part of the purchaser. I think, therefore, it is desirable to retain the word "exceptional" as very clearly marking the provision we desire to retain.

(4.12.) MR. SEXTON: I think the language of the Bill of last year was better suited to the case. As far as I can gather from the right hon. Gentleman's speech it will be essential for the tenant who has fallen into difficulty, before he can get relief out of the money provided by himself, to show that there is something in the shape of a general calamity.

MR. A. J. BALFOUR: No; not general. I gave instances.

MR. SEXTON: I want to know why, in addition to the very clear and sufficient provision that the cause must be other than his own fault, you introduce general words which may have an effect the reverse of beneficial. I am very much afraid that if these words remain in the clause, no matter what the individual need of the tenant may be, unless there is something very exceptional in his circumstances, he may find it very hard to make good his claim to relief out of his own money. The right hon. Gentleman has, during the last hour, taken many Divisions, whereby the time of the Committee has been lost and the progress of the Bill impeded. I am afraid that I must put the Committee again to the trouble of dividing, if my Admendment is not accepted.

(4.15.) MR. SHAW LEFEVRE (Bradford, Central): I should like to know whether a general fall in prices would be covered by the sub-section.

MR. A. J. BALFOUR: I do not know that I can give any information on that point. My complaint about the words proposed by the hon. Gentleman is that they are too wide.

MR. SHAW LEFEVRE: I think I am entitled to ask whether such a circumstance, as a general fall in prices, would entitle the Land Commission to allow the relaxation afforded by this particular sub-section?

MR. A. J. BALFOUR: If it was not exceptional the sub-section would not operate.

MR. SEXTON: Can the right hon. Gentleman suggest a case where the default is not due to the fault of the tenant, and yet where the Land Commission ought not to grant relief?

MR. A. J. BALFOUR: Supposing a tenant came to the Land Commission, and said:—"I find I cannot pay the annuity. The holding is not as good as I thought it was, and there are permanent losses which make it impossible to pay the annuity." That would be a case that could be dealt with under this sub-section, and I do not think it is one which ought to be dealt with under it.

MR. SEXTON: Will the right hon. Gentleman insert after "exceptional circumstances," "in the case?" That will bring in calamity affecting the individual. A man may suffer a wrong which may be personal to himself.

MR. A. J. BALFOUR: I have not had time to look into the meaning of the words, but if I caught their purport accurately we could not use the Insurance Fund unless the misfortune was restricted to the holding. Our intention is that if the calamity is both general and particular it shall be dealt with by the general and particular Insurance Fund. But there are other misfortunes which are confined to one or two holdings, and in that case the relief is drawn, and must be drawn solely from the tenant's Insurance Fund, and not from the £200,000 with which we shall have to deal in the next sub-section.

(4.20.) The Committee divided:—Ayes 183; Noes 108.—(Div. List, No. 196.)

(4.35.) MR. M. HEALY: In line 27, after the word "shall," I propose to insert the words "at the discretion of the Land Commission." I wish to leave it a matter of discretion with the Commissioners whether they should or should not, after the default, increase the amount of the purchaser's annuity. I do that in view of the decision we have come to in regard to Sub-section 3 of the clause. Some years experience of the abnormal annuity may demonstrate to the Land Commissioners that the Lord Lieutenant by his order has fixed the rate at such an amount that the tenant purchaser really cannot pay it, and if the Land Commissioners come to that conclusion, I submit it should be within their discretion to fix the amount of such a figure as experience has shown the purchaser can pay. It does not bind the Land Commission to adopt the normal amount.

Amendment proposed, in page 6, line 27, after "shall," to insert "at the discretion of the Land Commission."—(*Mr. M. Healy.*)

MR. A. J. BALFOUR: This is not a matter to be left to the discretion of the Land Commission. It has been decided there shall be an Insurance Fund to meet the case of any calamity, and we have sanctioned that view, and after the necessity for this has been demonstrated it is not a matter for the discretion of the Commission.

(4.38.) MR. T. M. HEALY: May I ask the right hon. Gentleman whether the rules applicable under this sub-section, enabling application to be made, require the application to be made in any particular way? Is there to be a hearing or anything of that kind? By what means will the tenant bring under the notice of the Land Commission his inability to pay? In the 30th Section of the Act of 1887, the tenant applied to the Court by a cumbrous and costly procedure, which should be avoided; yet, at the same time, I do not see how the tenant can satisfy the Commissioners without some investigation. The clause seems to leave the thing at large, so to speak, in a very unsatisfactory position.

MR. A. J. BALFOUR: I shall be glad to consider with my right hon. Friend what rules should be laid down to govern this matter, but I think the less formal the manner the better, an elaborate system must be an expensive system. My idea is, the Land Commission should be left to determine in each case what degree of investigation is required. They will require evidence to satisfy them that the distress has occurred, but I do not think it would be well to hamper their discretion with elaborate rules and long drawn legal observances. But I will take the opportunity of consulting with those more competent to give an opinion than I am what rules should be laid down.

MR. T. M. HEALY: I quite agree that it would be well to leave the Commissioners freedom to act as a reasonable landlord would under like circumstances.

Amendment negatived.

(4.41.) MR. KNOX: In line 28, I suggest the addition of the words "after such date." The passage will then run in this form: "but the annuity (notwithstanding any reduction under the foregoing provisions of this section) shall be increased by such amount, after such date, and for such time as the Land Commission direct, in order to replace the sum so set off, &c. As I read the clause now, in case of any exceptional calamity when the Purchaser's Insurance Fund is taken, in the year after that exceptional calamity, the abnormal annuity would have to be paid, and in many cases that might compel the tenant to go bankrupt. Therefore, I think the Land Commission should have a discretion as to the time, so that the tenant may recover from the consequences of the exceptional calamity.

Amendment proposed, in page 6, line 28, after "amount," to insert "after such date."—(*Mr. Knox.*)

(4.42.) MR. A. J. BALFOUR: There is something in the observation that the year after the calamity requiring to be met in an exceptional manner the tenant would not be in a favourable position to have his annuity increased. But I do not think it should be left entirely to the discretion of the Commission. I would limit the discretion of the Commission within a period of two years.

MR. KNOX: I will move the Amendment in that form.

Amendment, by leave, withdrawn.

Amendment proposed, in page 6, line 28, after "amount," to insert "after such a period not exceeding two years."—(*Mr. Knox.*)

MR. M. HEALY: I wish to draw the right hon. Gentleman's attention to the later words in the section. It is quite conceivable that the special power of the Land Commission might come into operation in the second year, and if that should be so, the Commissioners could not add any amount to the annuity for the first five years by virtue of the later words which provide that the annuity shall not exceed the annuity payable during the first five years of the term. It appears to me that in the second provision the term should be six years, otherwise the two provisions will not be consistent.

MR. A. J. BALFOUR: What I conceive would happen would be this: Suppose a default in the first five years; for the sake of argument we will say in the second year. That is defrayed out of the Insurance Fund, and in the third year there would be an increase in the annuity; and in the next year a return to the 80 per cent.; and in the fifth year, 80 per cent. In the sixth year the tenant would pay something more than the normal annuity, but not necessarily the whole 80 per cent.

MR. M. HEALY. But the Amendment which has been accepted as to the date from which the addition is to be made is inconsistent with the five years period.

MR. A. J. BALFOUR: The hon. Member's observations, I understand, refer to a question of drafting only. I will consider that.

MR. MADDEN: I think the point can be met by the insertion of words after this Amendment.

Amendment agreed to.

Amendment proposed, in page 6, line 28, after the words last inserted insert: "from the date of the set off, or termination of the first five years."—(*Mr. Attorney General for Ireland.*)

Amendment agreed to.

(4.48.) MR. SEXTON: I now beg to move the omission of the words "with interest at the prescribed rate." What is the position? A default arises, and is met out of the Insurance Fund. The tenant has to pay back the insurance money, but not only so, he is to pay interest upon this. Is not this usury? The Insurance Fund is for two purposes, primarily to relieve the tenant when he finds himself unable to meet the annuity; and, secondly, to accelerate the period of redemption. But you are making this last the primary purpose, and providing that it shall be carried out according to the original intention, no matter what may be the needs of the tenant. I think all you can claim from the tenant is that he should pay back the money into this fund he has created, not that you should ask him for interest.

Amendment proposed, in page 6, line 29, to omit the words "with interest at the prescribed rate."—(*Mr. Sexton.*)

*(4.50.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I do not know whether the hon. Member appreciates the point. I think we shall be able to meet him. If the tenant has not paid interest on his annuity he will have so much less to his credit when the new annuity is struck. So far as the State is concerned it is merely a question of time. If interest is paid on the sum withdrawn it goes to the credit of the Insurance Fund, and by so much is the capital of the fund increased. But if the hon. Member prefers that the interest on the insurance should cease during the time the fund is drawn upon, it is merely a question of time, the delay of the period of redemption.

MR. SEXTON: This word "usury" was not properly applied. I should, however, prefer that the period of redemption should be delayed in lieu of the payment of interest.

Amendment agreed to.

(4.54.) MR. SEXTON: This new sub-section deals with cases in which, owing to an exceptional state of affairs, the Lord Lieutenant will have a discretionary power to order advances to be made out of the Reserve Fund. The words of the sub-section provide that the Lord Lieutenant may order that the deficiencies arising from non-payment of annuities may be made good from the Reserve Fund, when those deficiencies arise from exceptional agricultural distress. But distress is the normal state of affairs in Ireland, and it will be difficult for the Lord Lieutenant to determine the point when things have come to such a pass that this power should be resorted to. I propose to substitute the word "calamity" for "distress."

Amendment proposed, in page 6, line 34, to leave out "distress," and insert "calamity."—(*Mr. Sexton.*)

MR. T. M. HEALY: I do not know whether the right hon. Gentleman objects to this; there is a precedent in the Act of 1887.

MR. A. J. BALFOUR: I do not quite appreciate the distinction the hon. Member draws. I think the word "distress" accurately covers the circumstances that it is intended to meet, but I have no objection to the substitution of "calamity."

MR. T. M. HEALY: I should like to know whether I correctly appreciate the position. As I understand, this is simply a question of administration of funds by the Treasury, and I want to ask, is the individual annuity, the individual tenant purchaser, relieved from the payment of instalments of the purchase money because Sub-section 5 is put into operation? The right hon. Gentleman seems to assent, and I am glad if that is so. But I shall be glad to know if afterwards the liability of the tenant purchaser is left intact.

MR. A. J. BALFOUR: It seems to me that the words contained in the Bill sufficiently carry out our intention in this matter, and that therefore the Amendment of the hon. Member is unnecessary.

MR. SEXTON: I ask leave to withdraw my Amendment.

Amendment, by leave, withdrawn.

Amendment proposed, in page 6, line 34, after the word "distress," to insert the words "or calamity."—(*Mr. Sexton.*)

Amendment agreed to.

*(5.5.) MR. MORTON (Peterborough): I now beg to move the omission from this part of the clause of the words "Reserved Fund" with the object of inserting the words "Guarantee Deposit." My intention in moving this Amendment is that the Guarantee Deposit should be the first resorted to in case of deficiency in time of distress. I do not see what the general taxpayers of the country have to do with the matter as compared with those associated with the land; and as the guarantee deposit is a fund for the protection of the British taxpayer, that is the fund which ought to be interfered with in the first instance, should the necessity arise.

Amendment proposed, in page 6, line 37, to leave out the words "Reserve Fund," and insert the words "Guarantee Deposit."—(*Mr. Morton.*)

Question proposed, "That the words 'Reserve Fund' stand part of the Clause."

MR. SHAW LEFEVRE: In supporting this Amendment, I would point out to the Government that there are no words in this sub-section enabling the Commissioners to relieve a tenant purchaser from any future liability in respect to the particular amount drawn

from the Reserve Fund. I think it would be desirable if the Chief Secretary would offer some explanation on this point.

MR. M. HEALY: I think it must be plain that as the clause stands it does not carry out the intention of the Government, namely, that of relieving the individual tenant purchaser who is unable to pay the annuity owing to exceptional agricultural distress. I would ask whether the Government are prepared to bring up words affording the tenant this relief?

VISCOUNT LYMINGTON (Devon, South Molton): I think it is sufficiently evident that if the Government insist on carrying this clause as it stands, it must work unfairly either to the landlord or to the taxpayer, and if the hon. Member for Peterborough presses his Motion, I should feel inclined to give it my support. I think the Government would do well if they could see their way to dropping this sub-section altogether, and bringing it up again on the Report.

THE CHAIRMAN: Order! order! I must point out to the noble Lord that it is irregular to discuss this sub-section as a whole on the Amendment just moved.

VISCOUNT LYMINGTON: Is it not possible for us to obtain a decision on this sub-section?

THE CHAIRMAN: It cannot be done.

SIR G. CAMPBELL (Kirkcaldy, &c.): I think it would be very desirable if the Government would explain exactly what it is they propose to do in connection with this subject. Do they mean their proposal to apply in the case of each individual tenant who cannot pay, owing to exceptional distress, or is it to apply only in the case of exceptional distress in a particular county as a whole. The Government might also explain whether the relief is to be in the nature of a gift, or of a loan. It appears to me that the money is to be obtained for the Reserve Fund, which, in its turn, will be recouped from the Exchequer. I cannot gather that the tenant will in any way be made liable.

(5.15.) MR. CHANCE: I consider the sub-section is rather obscure, and I do not believe that it will carry out the intentions of the Government. The cash portion of the Guarantee Fund will not be paid out of taxation direct; it will be paid by stopping the Exchequer contribution. The effect will be that the county cess will not get the benefit of the Exchequer contribution until this sum, which is to be applied to cases of exceptional distress, has been deducted. That is a very different thing indeed from paying it out of the direct taxes of the county. To my mind, no direct tax should be imposed until the whole cash portion of the Guarantee Fund has been exhausted. Therefore, I think the right hon. Gentleman's intention has miscarried; of course it is never intended that anyone should be evicted for non-payment. This sum is directed to be advanced out of the Reserve Fund, but there are no words implying an unconstitutional and absolute gift without any liability to repayment. Surely it must be an error on the part of the draughtsman that no words have been inserted entitling the Land Commission to relieve the tenant from ordinary liability. I hope the mistake will be rectified on the Report stage, so that in cases of exceptional calamity and distress the tenant may be relieved of the consequences of default for which he cannot be held to blame.

(5.18.) MR. A. J. BALFOUR: The first object of the sub-section now under discussion is to relieve ratepayers from burdens which may be thrown on them in consequence of the payment of annuities. That object is adequately carried out. The second object is to relieve individual sufferers, and it is a question whether the sub-section does secure that end. It must be admitted that it would not be right to come permanently down on the ratepayers of the county until every possible effort had been made to collect the annuity from those who ought to pay it. If there be a really serious calamity in a particular district, so that the people cannot possibly pay the annuities, then it is desirable to avoid the necessity of wholesale evictions. Therefore we must ease the rigid system by means of this sub-section. I admit, however, that the sub-section does not adequately secure the end we have in view, and I will endeavour to consider the matter between now and to-morrow, and to frame words which, if introduced, will carry out our object. If I do not succeed in that, I will ask the Committee to let the matter stand over until the Report stage.

(5.22.) MR. SHAW LEFEVRE: I think the statement of the Chief Secretary is a satisfactory one. It practically admits that the clause is defective, and does not meet the particular cases to which attention has been drawn. It will not prevent the eviction of tenants for non-payment of sums which they cannot pay; and as the right hon. Gentleman has promised to consider the question, I think we may fairly leave it as it stands, and not carry the discussion any further to-night.

SIR G. CAMPBELL: Is it the intention of the Government that the arrears shall be cleared off, and not provided for by way of loan?

MR. A. J. BALFOUR: There is no provision in the clause for advancing the money by way of loan. It must be done by gift.

MR. M. HEALY: I hope the right hon. Gentleman will, if possible, put the words he proposes to add upon the Paper to-night, so that we may have time to consider them before the Committee resume to-morrow.

MR. STOREY (Sunderland): There is one point in regard to this matter which deserves the attention of the right hon. Gentleman. As I understand, the proposition is that in the case of exceptional agricultural distress the Reserve Fund shall be drawn upon. Might I suggest to him that before he draws upon that fund he ought equitably to draw upon the deposit amount which the landlords have left in the hands of the Government. If he contrasts Sub-section 4 with Sub-section 5, I think he will see there is a good deal of force in the suggestion I am making. Under Sub-section 4, in the case of agricultural distress, the tenant is to be relieved, but not to any further extent than this—that any debt contracted by him in consequence of agricultural distress is to be added to his debt, and he will be compelled to repay both principal and interest in the shape of an enhanced Sinking Fund. But if there are any arrears due, and it is not the fault of the person liable that he cannot pay the annuity, then the Lord Lieutenant is to have the option of setting off the whole or part of the arrears against the purchaser's Insurance Fund, or any part thereof, and the annuity is to be increased to such amount and for such time as the Land Commissioners may direct in order to replace the sum so set off. So in the case of exceptional calamity the tenant is put in this position: if he receives temporary relief he will have to repay it by way of increased Sinking Fund, and he will have to repay not only the relief he obtains but interest on the same. Now, in regard to exceptional agricultural distress which is dealt with in this Sub-section 5, I submit that the burden should first of all fall upon those who are the beneficiaries under the Act. It is not the right hon. Gentleman's contention that the whole of the benefits under this Bill are to accrue to the tenant alone. Certainly the tenants are to have some benefits, but he contends that the landlords also are to be benefited, and I wish to ask why the two sets of beneficiaries should not be treated alike? If the tenant is unable to pay his annuity except with the assistance of the temporary advance which he has eventually to repay, together with interest upon it, I submit that before any burden is thrown upon the State the other set of beneficiaries (the landlords) should be come upon, and that the fund which they have had to deposit with the Government as guarantee for repayment of the advances, should be drawn upon. I would venture to contend that if this exceptional distress arises owing to circumstances over which neither the landlord nor the tenant could have control, then in that case if the tenant is to be called upon to pay back the advances made to him, plus interest, on the ground of fairness between landlord and tenant, the money so advanced before it is taken out of public funds should be drawn from the landlord's fifth—at any rate to the extent of the interest. I think that is an argument which may be advanced upon the ground of equity, and I ask the Chief Secretary to accept it on that basis.

It being half-past Five of the clock the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again to-morrow.

LABOURERS' COTTAGE GARDENS BILL.
(No. 195.)

Read a second time, and committed for Monday, 25th May.

SUPERANNUATIONS (OFFICERS OF COUNTY COUNCILS) BILL.—(No. 86.)

Order for Second Reading read, and discharged.

Bill withdrawn.

ANCIENT MONUMENTS PROTECTION ACT (1882) AMENDMENT BILL.—(No. 254.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Wednesday 3rd June.

MAIL SHIPS BILL.—(No. 163.)

Order read, for resuming Adjourned Debate on Amendment on Consideration, as amended [1st May].

And which Amendment was, in page 5, line 17, to leave out the word "any," and insert the word "that."

Question, "That the word 'any' stand part of the Bill," put, and negatived.

Question, "That the word 'that' be there inserted," put, and agreed to.

It being after half-past Five of the clock and Objection being taken, Further Proceeding stood adjourned till to-morrow.

COMMISSIONERS FOR OATHS ACT (1889) AMENDMENT BILL.—(No. 244.)

As amended, considered; Bill to be read the third time to-morrow.

FORGED TRANSFERS BILL.—(No. 161.)

Order for Second Reading read, and discharged.

Bill withdrawn.

Ordered, That leave be given to present another Bill in lieu thereof.

FORGED TRANSFERS (NO. 2) BILL.

"Bill for preserving purchasers of Stocks from losses by Forged Transfers," presented, and read the first time. [Bill 323.]

REFORMATORY AND INDUSTRIAL SCHOOL CHILDREN BILL.—(No. 261.)

Considered in Committee, and reported; as amended, to be considered to-morrow.

BRITISH MUSEUM.

Account ordered—

"Of the Income and Expenditure of the British Museum (Special Trust Funds) for the year ending the 31st day of March, 1891."

"And, Return of the number of persons admitted to visit the Museum and the British Museum (Natural History) in each year from 1885 to 1890, both years inclusive; together with a Statement of the Progress made in the arrangement and description of the Collections, and an Account of Objects added to them, in the year 1890."—(*Sir John Lubbock.*)

MOTIONS.

SCHOOL BOARD OF LONDON ELECTIONS BILL.

On Motion of Colonel Hughes, Bill to amend "The Elementary Education Act, 1870," and "The School Boards Act, 1885," so far as relates to the Election of the School Board for London, ordered to be brought in by Colonel Hughes, Sir Richard Temple, Sir Guyer Hunter, and Sir Ughtred Kay-Shuttleworth.

Bill presented, and read first time. [Bill 320.]

SCHOOL BOARD FOR LONDON (LIMITATION OF RATING POWERS) BILL.

On Motion of Mr. Webster, Bill to limit the Rating Powers of the School Board for London, ordered to be brought in by Mr. Webster, Mr. Gainsford Bruce, Mr. Tatton Egerton, Mr. Seager Hunt, Mr. Isaacs, Mr. John Kelly, Mr. Lambert, Mr. Norris, and Mr. Radcliffe Cooke.

Bill presented, and read first time. [Bill 321.]

MORTMAIN AND CHARITABLE USES ACT (1888) AMENDMENT BILL.

On Motion of Mr. Cozens-Hardy, Bill to amend "The Mortmain and Charitable Uses Act, 1888," ordered to be brought in by Mr. Cozens-Hardy.

Bill presented, and read first time. [Bill 322.]

PUBLIC ACCOUNTS COMMITTEE.

Second Report, with Minutes of Evidence, and an Appendix, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 227.]

PUBLIC PETITIONS COMMITTEE.

Thirteenth Report brought up, and read; to lie upon the Table, and to be printed.

House adjourned at a quarter before Six o'clock.

HOUSE OF COMMONS,

Thursday, 7th May, 1891.

PRIVATE BUSINESS.

LONDON TRAMWAYS BILL (*by Order.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

(3.10.) Sir A. BORTHWICK (Kensington, S.): I beg to move that the Bill be read a second time on this day six months. My objection to it is based upon the fact that we are threatened with an invasion of London by the Tramway Companies. No doubt tramways are, under some circumstances, useful and acceptable; but in the central part of a city like London, they may become not only inconvenient, but detrimental and dangerous to the ordinary traffic. It is proposed to carry this tramway over Westminster Bridge to Charing Cross Station; but allow me to remind the House that Westminster Bridge was never built to carry a tramway line, and that it is very much crowded with traffic already. Moreover, a tramway is constructed upon the crown of the causeway—the best part of the road—leaving the other traffic, fast and slow, to get on as best it can on the slope; and ordinary vehicles, in attempting to pass the slower traffic, often find their wheels wrenched and injured by catching in the tramway rails. It is proposed to carry this tramway line across Westminster Bridge and along the Thames Embankment to Charing Cross Station. I fail to see what reason there is for carrying it by that route. In the first place, on reaching the end of the bridge opposite to the House of Commons, it would heve to make a sharp turn at right angles. It would take possession of the very best part of the bridge, and would occupy that part of Bridge Street which is always crowded by people on their way to the penny steamboats. Let me ask what is the object of carrying a tramway from the bridge along the Embankment at all? What is it to do for the public? The great traffic of the Embankment is carried by the underground railway, and, so far, that railway has done its work very well. There is not a single omnibus running along the Embankment to compete with, and I fail to see that if the line is made it will afford any better means of getting to Charing Cross. But what I do see is that if this tramway once gets permission to cross Westminster Bridge it will not end at Charing Cross Station, but will find its way to Victoria Street. It is really a question whether by accepting this Bill we should sanction a through tramway system for the whole of the Metropolis. So far as the Embankment is concerned, the District Railway paid £200,000 for the privilege of passing beneath it, but this Tramway Company only proposes to pay a rent to the London County Council for the privilege of passing over it. No doubt the Bill is, to some extent, fathered by that august body; but I think that the Imperial Parliament should have some voice in the matter, and I trust that the House, by rejecting the Bill, will express its determination that the tramway system shall not be extended throughout the whole of London.

*(3.15.) Mr. DIXON-HARTLAND (Middlesex, Uxbridge): I beg to second the Amendment, and I do so principally on the ground that all the objections which can be offered to the measure on public grounds cannot probably be brought before a Select Committee. For instance, the question of the importance of this thoroughfare and the enormous amount of public money which has been spent upon it cannot be raised before a Committee, and I think we ought to hesitate before we allow a Tramway Company to take possession of the best thoroughfare in London, in order that they may realise a private profit from it. Then, again, the Petition against it from the District Railway Company, I am told, can only be heard upon its merits; the St. Stephen's Club also object to it, but they have been too late in presenting their Petition; and the curve which it is proposed to make at the end of Westminster Bridge is of such a character that

the whole of the traffic which passes through Bridge Street will have to cross it at right angles. In addition, there is the traffic to and from the steamboats which will be endangered, and the safety of the people desiring to travel by them threatened, if this tramway is allowed to be made. The object of making the Embankment was to relieve the stress of the Strand traffic, and this tramway line will effectually destroy that advantage. Complaints are constantly made that the approaches to this House are congested; but this proposal will tend still further to block up the approaches. There is another strong point. Westminster Bridge was constructed by Mr. Page, but he was compelled to cut down his estimates, and was not allowed to spend more than a certain amount of money. The consequence was, that he had to lighten the archways, and the roads upon them, and I doubt whether the bridge will be able to stand the additional strain which it is proposed to put upon it. If the Bill passes, the whole of the traffic of North and South London may eventually pass over Westminster Bridge. I hope the House will not put the parties to the expense of appearing before a Committee, but will show that they have made up their mind upon a question of public policy, and that a magnificent thoroughfare like this will be preserved to the people of London, and the approaches to the House shall not be interfered with. The District Railway was not allowed to go under the Strand or any of the main thoroughfares, and the company were required to pay £200,000 to the Metropolitan Board of Works for the privilege of carrying the line under the Thames Embankment. It would, therefore, be most unfair to allow the London County Council, who are the successors of the Board of Works, and who have undertaken their responsibilities and liabilities, to concede for a small annual sum these extraordinary rights to a private Tramway Company.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir Algernon Borthwick.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. Dixon-Hartland

(3.20.) MR. CUNINGHAME GRAHAM (Lanark, N.W.): I shall support the Amendment, unless the promoters of the measure are prepared to accept a proposal which has been made to them by the London County Council. There has been a decided expression of opinion throughout Europe and America that the limitation of the hours of labour by statutory enactment is desirable, and I think a proviso limiting the working hours of the company's servants to 10 per day should be inserted in this Bill. This view, I understand from Mr. Burns, a member of the Council, was taken by the London County Council, and if the House of Commons pass the Bill without such a proviso they would be acting in a manner directly opposite to the wishes of the London ratepayers. At present this company work their servants from 11 to 11½ hours per day, but their labour is spread over 16 hours. The company have volunteered to reduce the hours of labour to 11 hours; but taking into consideration the fact that they pay a dividend of 10 per cent., I think that the limit I propose is reasonable. Although I am most desirous that every facility should be afforded to the working classes for getting to their work, unless I receive an assurance that the company will limit the working hours to 10 per day, I shall certainly vote for the Amendment.

(3.27.) MR. KELLY (Camberwell, N.): The hon. Member who has just sat down is in favour of facilities being afforded to working men for getting to their work, but, nevertheless, he intends to vote against the Second Reading of the Bill. Now, I know a good deal about the South London Tramway Company, and I am able to say that the assertion of the hon. Member that the hours of labour of the *employés* of this company extend to 16 is altogether inaccurate.

MR. CUNINGHAME GRAHAM: My statement was that they work for 11½ hours, but that the hours of labour are extended over 16.

MR. KELLY: Upon that fact I join issue with the hon. Member. He says, also, that the company pay a dividend of 10 per cent. Where has he got that information from? The fact is, that those who hold shares in the company have not received

more than 3 or, at any rate, 4 per cent. The company in not agreeing to the stringent limit of hours, which some members of the County Council wished to impose on them, decline tc be bound hand and foot by those who hold extreme views on this subject. It must not be forgotten that the labour of those who are employed in connection with tramway cars is by no means of a severe character. Let me ask what the opposition to the Bill is. The hon. Member for South Kensington (Sir A. Borthwick) represents the West End Opposition to Tramways Extension Association, but the principal opponent to the Bill is the Chairman of the District Railway Company, and the manager of the company has addressed a letter to Members of the House against the Bill, the main point in the letter being that the proposed tramway extension would mutilate and disfigure Westminster Bridge and the Embankment, and interfere with the latter thoroughfare as a place for the use of private carriages. The other opponents of the Bill are the St. Stephen's Club. Where are the Local Authorities? If they object to the Bill we ought to hear them. It is not opposed by the London County Council, and I certainly fail to understand how the tramway can either mutilate or disfigure the bridge or the Embankment, and I would remind the House that tramways cross bridges in places other than London, and notably in the City of Dublin, where no disfigurement was thought of. I support the Bill in the interests of the mass of the citizens of London, and especially those who reside on the south side of the Thames, and whose safety is daily jeopardised by the dangerous terminus of the existing tramway near St. Thomas's Hospital. Were the tramway carried on by the Embankment to Charing Cross, not only would the safety of the public be provided for, but the terminus would be conveniently brought to a point adjacent to the railway there. I appeal to the House to pass the Bill in the interests of the 300,000 or 400,000 working men, women, and girls who have to come daily from the South to the West to reach the warehouses where they are employed.

(3.40.) MR. T. P. O'CONNOR (Liverpool, Scotland): The hon. and learned Member who has just sat down has divided the opponents of the Bill into three classes—the West End Association for the Opposition of Tramway Extension, St. Stephen's Club, and the District Railway Company. I am not a member of the West End Association, I do not think I am likely to be admitted a member of the St. Stephen's Club, and, so far as the District Railway Company is concerned, I do not even know the name of its chairman. I oppose the Bill not as the member of any Association, Club, or Company, but simply as a citizen of London, believing that no case has been made out in its behalf. If I thought the Bill was seriously demanded for the convenience of the public, I should certainly not oppose it; but I join with my hon. Friend below me (Mr. C. Graham) in thinking that, as the promoters of the Bill decline to pay regard to the interests of their *employés* voluntarily, they should be required to do so compulsorily. At the same time, I trust that they will not be afforded the opportunity. The hon. Member who has just spoken ought to be familiar with the Thames Embankment, and the nature of the traffic upon it, and he ought to be aware that the Embankment is never fully occupied with traffic; and that if there was any real demand for the use of it, it would present a very different appearance from what it does. Personally, I know no form of locomotion more objectionable than the tramway system. It is noisy, in some respects it is inconvenient, and in every respect it would be a disfigurement to a beautiful thoroughfare like the Thames Embankment. In New York the Broadway is crowded with tramcars, and the wear and tear created by the use of them destroy the roadway, and prevent the use of hansom cabs.

An hon. MEMBER: Oh no.

MR. T. P. O'CONNOR: The hon. Member cannot, I think, have been in New York.

An hon. MEMBER: Oh yes; more than you have.

MR. T. P. O'CONNOR: Then I am sure he cannot have been there with his eyes open. I met the hon. Member for Battersea (Mr. O. V. Morgan) in New York two months ago; he has probably been there twice as often as either the hon. Member or myself, and I am sure he will corroborate what I say as to the

absence of hansom cabs. It is impossible to go for any distance in a hansom for less than 4s., and the reason is solely the wear and tear of the roads by the tramcars. I never knew any Englishman who did not pine to return to London after a residence of a month or two in New York. [An hon. MEMBER: No.] Then I wonder that the hon. Member, with such aspirations, did not stay there altogether. I ask the House to set its face steadily against these attempts to introduce the tramway system into the centre of London. London ought to be maintained as a comfortable place of residence, and certainly it will cease to be so if this noisy tramcar system is to be introduced all over the Metropolis. I do not think the working classes demand this extension. Most of them go up Stamford Street, and if they want to cross the bridge they can find plenty of halfpenny omnibuses to take them.

(3.45.) MR. RADCLIFFE COOKE (Newington, W.): I think the House would be ill-advised if they were to reject the Bill because the promoters do not assent to a curtailment of the hours of labour of their servants. Surely that is a point which might form the subject of an Instruction to the Committee, and therefore I hope the House will allow the Bill to go before a Select Committee, where all the points, both for and against it, can be thoroughly threshed out. The opponents say that there is too much traffic already on Westminster Bridge, but one of the reasons why we are asked not to allow an extension to the Embankment is that there is very little traffic there at all. My own opinion is, that there is no thoroughfare in the Metropolis more fitted for traffic of this kind than the Thames Embankment. I should certainly prefer to see the Embankment used to the utmost instead of being deserted, as it is said to be by the hon. Member for the Scotland Division (Mr. T. P. O'Connor), so that the Members of the St. Stephen's Club might look out on an animated scene instead of an empty void. Why do thousands travel daily by trams from Greenwich, New Cross, Camberwell, Peckham, Wandsworth, Clapham, Newington, Tooting, Balham, and Brixton to the southern end of Westminster Bridge? It is for the very purpose of crossing the bridge; and why should they not ride across the bridge, and thus be carried nearer to their work? The trams would be less obstruction on the bridge than the halfpenny omnibuses that are continually crossing it, with a few of the people who reach the bridge on the trams. The objections to the trams really come from Members who roll in their gilded chariots, or Members who are preparing to do so. The people who ride on the trams up to the bridge do not care about the hon. Member for the Scotland Division and his anxiety about hansoms. The opposition to this Bill comes from hon. Members who object to the springs of their vehicles being injured by the tram lines. One hon. Member who is going to vote against the measure told me that in taking a certain drive in his carriage he had to pass over tram rails 32 times, and he was jolted very much. I should say that that was extremely good for his liver, but I would advise him, if he wishes to avoid the jolting, to have a ride in the tram, which would only cost him twopence, The hon. Member for the Scotland Division of Liverpool says that he is not a Member of the St. Stephen's Club, but by his speech of this afternoon he has certainly qualified himself for admission to that Institution. I hope, therefore, shortly to welcome the hon, Member as a member of St. Stephen's Club.

*(3.50.) MR. CREMER (Shoreditch, Haggerston): If a Division is taken, I shall probably find myself in the same Lobby as the hon. Member for the Scotland Division, but for a very different reason. The hon. Member has given his experience of the streets of New York, but the streets of New York were in a disgraceful condition long before the tramways were laid down in the Broadway. That, however, has really nothing whatever to do with the question of this tramway, and the chances are that the New York tramways would never have been constructed if it had not been for the abominable condition of the thoroughfares. While the hon. Member was addressing the House I asked myself what would have been his attitude upon this question if he had had an opportunity of voting upon the proposal 10 or 15 years ago. When a man is compelled to walk, or to ride in cheap conveyances, his sympathies are generally with the masses

of the people ; but it sometimes happens that if he can get the means to buy a horse — a high horse, and ride in the Row, even if he does occasionally tumble off—he changes his opinions, and regards tramways as vulgar conveyances, which ought not to be tolerated in the beautiful thoroughfares of the Metropolis. For my part, although I believe the extension of the tramways is very necessary I shall oppose the Bill, because the promoters have refused to accept the stipulation of the County Council as to the hours of labour being restricted to 10 per day. Every Member who has spoken representing constituencies on the South side of the Thames supports the Bill, and they do so because they know, even although they have no mandate from their constituents, that the extension of the tramway is absolutely required by the people they represent. The teeming population on the South side of the Thames is anxious to get over Westminster Bridge, at the foot of which it has been compelled to stop for the last 14 or 15 years, owing to the persistent opposition which has been offered to the extension of tramways. The desire of the people on the South of the Thames to cross the bridge, and down the Embankment, may be easily understood by anyone who has seen the congested state of the traffic on the other side of the bridge, and the tremendous rush which takes place there to fill the various trams as they arrive. Most of the people who come by the tramcars to the bridge from Camberwell, Brixton, Clapham, and other places, desire to get to the Strand and the centre of London, and they are, therefore, naturally anxious to be carried to a point much nearer to Charing Cross. But, unfortunately, the Tramway Company have thought fit to decline the healthy condition which the London County Council imposed, namely, that the hours of labour of the tramway servants should be reduced to 10 per day. I thank the County Council for having insisted upon such a wholesome provision, and I trust that it will not be long before the Tramway Company will accept it.

(3.57.) Mr. H. FARQUHARSON (Dorset, W.): In my opinion, the tramways are at present a great obstruction to the traffic between Waterloo Station and Westminster Bridge, and if there is to be any alteration at all they ought to be put back rather than extended.

Mr. PAULTON (Durham, Bishop Auckland): The reason of that obstruction is that the tram terminus is in the Westminster Bridge Road. The horses have to be taken out and the people have to descend from the cars. The obstruction would be greatly diminished if the trams crossed the bridge and went upon the Embankment. I trust the House will allow the Bill to be referred to a Committee. There is great difficulty and objection in discussing a Bill of this kind on the Second Reading in this House. For that reason alone, without entering into the merits of the question, I hope that the usual course will be followed in regard to it.

(4.0.) Sir H. SELWIN-IBBETSON (Essex, Epping): I am certainly not opposed to tramways where they are properly applied, because I believe them to be of the greatest utility to the working classes, but I have heard the question before the House discussed on more than one occasion. The resistance that has always been offered to the crossing of Westminster Bridge by tramways is, I think, justified—first, by the fact that in so central a part of the Metropolis it would not confer much material advantage ; and, secondly, by the fact that the enormous wheel traffic already going on would be dangerously complicated by the presence of tramcars, which would increase blocks in the narrow streets to a dangerous extent. These objections may not apply to the laying of tramways along the Embankment, but I oppose this scheme because it would be the thin edge of the wedge, and would soon lead to an application for powers to join such lines with the tramway system at the end of Victoria Street. That would result in a most inconvenient obstruction of the traffic in the most crowded thoroughfares of the district, and for that reason I oppose the Bill. I should prefer the Bill to be dealt with by the House rather than by a Committee, because the question at issue is understood by every Member of the House.

*(4.5.) General FRASER (Lambeth, N.), as their representative, said that the tradesmen of Westminster Bridge Road were opposed to the Bill, which

greatly interfered with their trades. He had received one deputation from inhabitants of the other part of Lambeth whose trade was not affected. It should not be thought that the working man gained much advantage by the tramcars. He had been on Westminster Bridge to meet the working men in hundreds going to their work long before tramcars appeared on the scene. He should vote against the Bill.

(4.6.) MR. COURTNEY (Cornwall, Bodmin): My right hon. Friend the Member for the Epping Division (Sir H. Selwin-Ibbetson) has suggested that the House is quite competent to vote on this question. I wish to point out that on many of the issues raised the House is not competent to come to a decision. The engineering question, the effect of the change of the terminus, and the feeling of the people of Lambeth on the Bill are all matters which a Committee alone can decide after hearing evidence. The hon. and gallant Gentleman who has just sat down says that he represents the Westminster Bridge Road—a very extraordinary constituency indeed, but it is a question whether his opposition should or should not prevail. Whatever the opposition of the shopkeepers may be, it is a significant fact that the Vestry of Lambeth is in favour of the Bill. There is, however, one question which the House can entertain, and that is: Does it dislike tramways so strongly and utterly that it will not have them at all? There are many persons who have had that feeling, but the House has some reason for thinking that the conclusions arrived at in former years need revision, and that the case against tramways is not so strong as to require that the Bill should be rejected on the Second Reading. The experience of New York has been quoted; the case of Paris is still more instructive. Under the Empire tramcars were not allowed to pass beyond the Place de la Concorde, but after the fall of the Empire the tram lines were extended right across Paris, and the cars now run all about the Arc de Triomphe, down the Boulevard Sebastopol, past the Louvre to the Palais Royal. This shows that in Paris tramcars are not found to be that terrible inconvenience they are represented to be. The other questions raised—as to the beauty of the Metropolis and as to the Petition of the St. Stephen's Club—can well be disposed of when the Bill is referred to a Hybrid Committee. The Bill has also been opposed by hon. Members below the Opposition Gangway, on the ground that the Tramway Company promoting the Bill is a grave offender in regard to the hours of labour imposed on tramway *employés*. The passing of the Second Reading will not necessarily prevent that question from being considered separately. If it is true that the London County Council is putting severe conditions on the Tramway Company, the London County Council, without the assistance of the hon. Member for Lanark, may be left to take care of itself, as it is certainly powerful enough to do. I hope that the House will follow the usual course, and send the Bill to a Committee.

(4.10.) MR. J. LOWTHER (Kent, Isle of Thanet): I wish to call the attention of the House to what took place under almost identical circumstances in the year 1868. At that time a Bill, empowering a tramway to cross Westminster Bridge, was brought up for Second Reading. The House followed the usual course of declining to discuss Private Bills on the floor of the House, and the Bill was sent to a Select Committee. When it was reported by the Committee its rejection was moved, and Mr. Chichester Fortescue, then President of the Board of Trade, argued that the Motion was very unfair to the promoters of the Bill on the ground that if the House entertained such fundamental objections to the principle on which the Bill was based it ought to have availed itself of an earlier opportunity of giving effect to its views. Notwithstanding that appeal, the House by a majority rejected the Bill, and I hope that the House will now speak its mind in time and reject the present Bill.

(4.16.) MR. LABOUCHERE (Northampton): I am not desirous of continuing this discussion because I am anxious that we should get to the usual interesting matters which occupy us from day to day; but I wish to point out that if we follow the suggestion of the right hon. Member for the Epping Division of Essex and were to take the question of the merits of the tramway out of the consideration of the Committee we should

have a discussion which would last all day. I think that those who wish some condition to be inserted in the Bill with regard to the hours of labour would make a mistake if they voted against the Bill; they should let the Bill go before a Committee, and if it comes back without some such arrangement being made between the Promoters and the County Council they can vote against it on the Third Reading.

(4.18.) THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD, Lancashire, S.W., Ormskirk): I do not intend to detain the House, but I wish to give a word of warning in reply to the remarks of the Chairman of Committees (Mr. Courtney). He says that the County Council may be left to take care of their own interests in connection with the control of tramways. Now, having been Chairman of a public Company who have charge of 50 miles of tramways, I should like to give the House the result of my experience in that matter. In Liverpool, formerly a private company had the tramways, and they were under much more stringent obligations to maintain the roads in good order than are contained in this Bill. The company neglected their obligations, and, having failed to obtain an injunction, the Corporation were compelled to acquire the tramways. Now, we have only one Road Authority; we have spent £300,000 in laying tramways which are no obstruction to the streets; and we get a return of £30,000 a year, while the company is able to make 10 per cent. dividend as well. That result shows that Local Authorities should lay the tramways down themselves and lease them to the highest bidder. I would, therefore, recommend all Local Bodies in London not to part with the control of their roads; and I shall oppose the Bill on the ground that it hands over the control of the streets of London to a private company.

(4.23.) MR. CONYBEARE (Cornwall, Camborne) spoke amid repeated calls for a Division, so that his remarks reached the Gallery in a very imperfect form. The hon. Member said: I think it is desirable that the tramways should be extended to every part of the Metropolis. My only objection to the Bill is that it contains no guarantee that there will be a limitation as to the existing hours of labour, but, having regard to the general utility of the measure and the reactionary and unreasoning objections which have been taken to it on the other side of the House, I think the best course would be to allow the Bill to be read a second time, and referred to the usual Committee, and to move an Instruction to that Committee that it take into consideration this question of hours of labour. On the 21st of April, and upon a subsequent occasion, the London County Council, on the recommendation of the Highways Committee, attached to their consent to the present Bill a proviso that the hours of labour of the servants employed by the Tramway Company should be reduced to 10. This stipulation the company have refused to accept, but I think the question is one which can be satisfactorily dealt with by a Committee upstairs.

(4.30.) The House divided:—Ayes 137; Noes 170.—(Div. List, No. 197.)

Main Question, as amended, put and agreed to.

Second Reading put off for six months.

CONTAGIOUS DISEASES (ANIMALS) ACT.

Return ordered—

"Of all appointments of Inspectors and others made under 'The Contagious Diseases (Animals) (Pleuro-pneumonia) Act, 1890'; and charged to the Cattle Pleuro-pneumonia Account for Great Britain, showing in each case the nature of the duties; the total emoluments of the office; and the previous profession or occupation of the person appointed."—(*Mr. Campbell-Bannerman.*)

SCHOOL BOARD FRANCHISE (SCOTLAND).

Return ordered—

"According to parishes, of the number of Electors, Parliamentary and School Board respectively, within the Counties of Argyll, Inverness, Ross and Cromarty, Sutherland, Caithness, and Orkney and Zetland, in those parishes within said counties where contests took place, and where a separate roll for the School Board Election has been drawn up in this present year."—(*Mr. Mackintosh.*)

CENTRAL CRIMINAL COURT (IMPRISONMENT OF CAPTAIN VERNEY, M.P.)

Mr. SPEAKER acquainted the House that he had received the following Letter from Mr. Justice A. L. Smith, re-

lating to the Imprisonment of Captain Edmund Hope Verney, a Member of this House:—

"Central Criminal Court,
City of London, E.C.,
May 6, 1891.

Mr. Speaker,

I beg to inform you that Captain Edmund Hope Verney, M.P., was this day convicted before me, upon his own confession, of a misdemeanour, for which I have sentenced him to 12 calendar months' imprisonment.

And I have the honour to remain,
Your obedient servant,
A. L. SMITH."

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Mr. Speaker, the House will be invited by the Government on Tuesday next to take this Letter into consideration, and it will be my duty to move to-morrow for a Return of the Record of the Proceedings at the trial of the indictment against the hon. Member tried at the Central Criminal Court.

NEW WRIT.

For the Borough of Strand, *v.* the right hon. William Henry Smith, Constable of the Castle of Dover and Warden and Keeper of the Cinque Ports.—(*Sir William Walrond.*)

QUESTIONS.

ATTENDANCE OF THE PRESS AT INQUESTS.

SIR J. PEASE (Durham, Barnard Castle): I beg to ask the Secretary of State for the Home Department whether there is any truth in the statement which has appeared in the newspapers that an officer of Dartmoor Convict Prison attempted to impose obstacles in the way of the attendance of the representatives of the Press at an inquest recently held upon the body of a deceased convict, and that the Coroner was in consequence obliged to hold the inquest at an hotel instead of inside the Convict Prison at Dartmoor; and, if this statement is correct, whether the officer in question followed the rule laid down in the usual practice in the case of inquests on convicts at Dartmoor?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the Directors of Convict Prisons that the statement referred to is substantially correct. The officer in question followed the usual practice at Dartmoor, which has been that the Governor and the Coroner usually agreed what persons should be admitted inside the prison during the holding of the inquest; but that if the Coroner wished the public to be admitted he adjourned his Court after the view of the body to some convenient place outside the prison, so as to avoid the obvious inconvenience of throwing open the prison to the public and to persons not entitled to admittance.

THE BRITISH INSTITUTE OF PREVENTIVE MEDICINE.

MAJOR RASCH (Essex, S.E.): I beg to ask the President of the Board of Trade whether a decision has yet been given by the Department on the application for a licence for the British Institute of Preventive Medicine; and, if so, will he state in what form and under what conditions?

THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): Having considered the application referred to by the hon. Member, and the important objections thereto which I have received, I have not been able to grant the licence in question.

GAS IN WESTMINSTER HALL.

MR. STORY-MASKELYNE (Wilts, Cricklade): I beg to ask the First Commissioner of Works whether, considering the deleterious effect of the acid products of the combustion of gas on the ancient wooden roof of Westminster Hall, he will consider the advisability of substituting the electric light for the gaslights at present employed?

*THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): I have carefully inquired into this matter, and I find that at one spot the hammer beams in the roof of Westminster Hall have been blackened, though not charred, by gas lamps, which are placed some 15ft. or 20ft. below them; but there is no ground for believing that any permanent injury has been done to these hammer beams, and no other part of the roof has been at all

affected. We are replacing as rapidly as we can gas by electric lighting throughout the Palace generally, and I hope we shall soon reach the lamps referred to in the question.

THE BATTERSEA ROAD RAILWAY BRIDGE.

MR. TATTON EGERTON (Cheshire, Knutsford): I beg to ask the President of the Board of Trade whether he will cause the Government Inspectors of Railways to report on the safety of the railway bridge over the River Thames at Battersea Road, used by the London, Brighton, and South Coast Railway, as to its lateral strength, as there is an abnormal vibration on the central spans when any train approaches from either end?

*SIR M. HICKS BEACH: The responsibility for the maintenance in a proper condition of their bridges rests with the Railway Company, and not with the Board of Trade. But if any representation were made to me by a Local Authority, in which adequate *primâ facie* proof of the necessity of an inspection were given, I should direct such an inspection.

MR. EGERTON: What Local Authority?

*SIR M. HICKS BEACH: A Local Authority interested.

MR. EGERTON: But there is no Local Authority.

*SIR M. HICKS BEACH: Oh, yes! There is a Local Authority on each side of the river, as well as the Thames Conservancy Board.

THE CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state the number of courts under "The Criminal Law and Procedure (Ireland) Act, 1887," that have sat in each of the four provinces during the four months ending 30th April last, and the number of cases tried, with the same figures for the corresponding period of 1890?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The information asked for by my hon. Friend is as follows:—In the first four months of 1891 the number of Courts held under "The Criminal Law and Procedure Act" in Ulster was four, in Leinster five, in Connaught seven, and in Munster 15, giving a total of 31. The number of cases tried was four, five, eight, and 16 respectively, or 33 in all. The number of persons tried was 12, 31, 10, and 48 respectively, or 101 in all. During the first four months of 1890 the number of Courts held under the Criminal Law and Procedure Act was nine in Ulster, six in Leinster, 23 in Connaught, and 33 in Munster, or 71 in all. The number of cases tried was nine six, 24, and 33 respectively, or 72 in all; and the number of persons tried was 42, 27, 33, and 136 respectively, or 238 in all.

HALF-TIMERS.

MR. SUMMERS (Huddersfield): I beg to ask the Vice-President of the Committee of Council on Education what is the number of half-timers in England, Scotland, and Ireland respectively; and what is the number of half-timers in each of the three Kingdoms under the Factory Acts and the Education Acts respectively?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The number of children who claimed special grants for half-time attendance during 1890 were, in England and Wales, 175,437, and in Scotland, 18,351; but 8,381 of these latter were allowed to make half-time attendance only because they resided more than two miles from school. I cannot answer the first part of the question so far as it relates to Ireland, but the number of half-timers under the Factory Acts were, in Textile Factories, 73,819 in England and Wales, 6,777 in Scotland, and 5,903 in Ireland—and in non-Textile Factories, 12,389 for the United Kingdom, making a total of 98,818 under the Factory Acts.

MR. SUMMERS: The remainder being under the Education Act?

SIR W. HART DYKE: Yes, Sir.

THE ENFORCEMENT OF THE EDUCATION ACT.

MR. SUMMERS: I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to the Report of Mr. Blenkinsopp, Her Majesty's Inspector of Factories and Workshops for Bedford,

Hunts, and parts of Northamptonshire and Lincolnshire, and, in particular, to his statement, that, in the union of Thrapston,

> "The Education Act is almost a dead letter, and in some families not a single child has ever been to any school;"

and whether he will take such steps as may be necessary to enforce the Education Act in this district?

SIR W. HART DYKE: So far as the information at my disposal goes, the statement, that in the Union of Thrapston the Education Act is almost a dead letter, is an exaggeration; but the Department have received a Report from their Inspector revealing an unsatisfactory state of things in Thrapston and the neighbouring Unions, and careful inquiries are being made with a view to the better enforcement of the Statute.

OUT-STILLS IN INDIA.

MR. S. SMITH (Flintshire): I beg to ask the Under Secretary of State for India whether his attention has been drawn to a statement made in the *Bengalee*, of 4th April, 1891, alleging that the Government of Bengal has directed the re-introduction of out-stills in parts of Midnapore and Bancoorah; and whether it is in consequence of a fall in the Excise Revenue arising from the substitution of distillery spirit shops in place of out-stills in those districts that this measure has been adopted?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The Government has seen the statement as to the re-introduction of the out-still system in Midnapore and Bancoorah. No such measure can have been adopted for the reasons suggested by the hon. Member in the 2nd paragraph of his question.

BAKEHOUSE *EMPLOYÉS*.

SIR C. DALRYMPLE (Ipswich): I beg to ask the President of the Local Government Board if his attention has been called to the system by which many persons employed in the baking trade sleep in bakehouses or in lofts over or adjoining them, are liable to be roused during the night for work, and are employed for a number of hours exceeding that which is usual in any trade?

MR. MATTHEWS: I am informed by the Chief Inspector of Factories that his attention has not been called to the system referred to. If the hon. Baronet will communicate the name of any places where such a system is alleged to exist, full inquiry will be made. Prosecutions have taken place for the employment before 5 a.m. of young persons in bakehouses.

LIMERICK POST OFFICE.

MR. O'KEEFFE (Limerick): I beg to ask the Postmaster General if the Limerick Postal Office has been deprived for some years past of four appointments, namely, two in the First Class clerks' service, and two in the Second Class; whether two First Class clerks have been absent from Limerick or six and four years respectively, at Mallow and Dublin, engaged on special duty, although their salaries are charged to the Limerick branch; and whether regular First Class appointments will now be made?

THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): In reply to the hon. Member, I have to state that the Limerick Post Office has not been deprived of four, or, indeed, of any, appointments. It is the case that two First Class sorting clerks have for some time past been detached from Limerick for special duty, and the question whether in their room additional clerks should not be promoted to the First Class is now under consideration, and I hope to be able to announce a decision shortly.

THE ANGLO-BELGIAN KATANGA COMPANY EXPEDITION.

MR. A. E. PEASE (York): I beg to ask the Under Secretary of State for Foreign Affairs whether it is true that Lieutenant Stairs, late of the Stanley Emin Pacha Relief Expedition, has been commissioned to proceed to Zanzibar and to engage porters for an expedition into Africa in the service of the Anglo-Belgian Katanga Company; and, if so, whether Her Majesty's Government have given instructions to its Representative in Zanzibar to prevent the hiring of slaves as porters in any such expeditions by British subjects?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): I am informed at the War Office that Captain Stairs has been permitted to accept service under the company in question. No special instructions have been sent to Zanzibar concerning him, and I do not know that he is going there; but it is well-known that slaves cannot be hired from their masters by British subjects, and it will be the duty of Her Majesty's Consul General to see that there is no abuse in the contracts made with the porters engaged.

THE EGYPTIAN DOMAIN LOAN.

MR. F. W. ISAACSON (Tower Hamlets, Stepney): I beg to ask the Under Secretary of State for Foreign Affairs whether he can state why the Egyptian Domain Five per Cent. Loan has not been converted into a Three and a Half per Cent. Loan on the same lines as the Egyptian Preference Railway Loan, whereby a saving of £75,000 per annum will be effected to the Egyptian Government?

SIR J. FERGUSSON: We understand that the Egyptian Government have not received offers for conversion which they consider sufficiently favourable for acceptance.

THE SIMS-EDISON TORPEDO.

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty whether his attention has been called to the public trial of the Sims-Edison torpedo, made at Havre on Saturday last; if so, will he state the difference (if any) between this and the Brennan torpedo; whether it is true that the Sims-Edison torpedo can be steered in any course over two miles at the rate of 20 miles an hour, and that it is capable of cutting through any net, and also of destroying the heaviest ironclad; and if he intends having experiments made with it at Portsmouth or elsewhere?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The Sims-Edison, like the Brennan, torpedo, is not of a type considered suitable for use by ships at sea, and no experiments with it will, therefore, be carried out by the Admiralty. The trials have been attended by officers acquainted with the Brennan torpedo, and its capabilities, in comparison with that weapon, will doubtless be reported on and considered.

PUNISHMENT ON THE SCHOOL SHIP *WELLESLEY*.

ADMIRAL FIELD (Sussex, Eastbourne): I beg to ask the Secretary of State for the Home Department whether he will cause inquiry to be made into the system of punishments pursued on board the industrial school ship *Wellesley*, at North Shields, for breaches of discipline, &c., with a view to ascertain whether the same has been carried out in accordance with the regulations and long-established custom, the contrary having been alleged by the Chairman of the Committee of Management, according to reports in local newspapers, and notably in Shields *Daily Gazette* of 30th January, so that the Commander's authority over the boys may be sustained if he has been unjustly assailed, or that he may be censured if he has abused his powers?

MR. MATTHEWS: Yes, Sir, I am aware that allegations have been made with regard to the system of punishments on board the school ship *Wellesley*. I have directed a special inquiry to be made by the two Inspectors into these allegations, and into the management of the school generally.

ARTILLERY AND ENGINEER VOLUNTEERS' EQUIPMENT GRANTS.

ADMIRAL FIELD (Sussex, Eastbourne): I beg to ask the Secretary of State for War whether it is a fact that Volunteer Artillery Corps, if below their maximum established strength on 31st October, 1890, will not receive the Equipment Grant of 23s. for such men as may be afterwards enrolled to complete to full strength, whilst at the same time it will be payable to any Volunteer Corps which shall receive permission to increase its established number; and whether it is a fact that Artillery and Engineer Volunteers only receive 5s. towards the provision of equipment under Special Grant of last year, as against 12s. awarded to Infantry Volunteers; and, in such case, what is the reason for so large a distinction?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): Equipment Grants will

only be given in future in the cases of authorised increases of establishment or formation of new corps. In all other cases the equipment must be met from the annual Capitation Grants of 2s. allowed for great-coats for each man so enrolled, and of 1s. for accoutrements for every enrolled Volunteer. The difference between the amounts granted last year to Infantry Volunteers and Artillery and Engineer Volunteers is due to the difference in their equipment, which is considerable.

ABSENCE OF CRIME IN LIMERICK.

MR. O'KEEFFE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, having regard to the absence of crime from the City of Limerick, to state the reasons of continuing the Proclamation of that city under the provisions of "The Criminal Law Procedure Act, 1887?"

MR. A. J. BALFOUR: The large diminution in agrarian crime throughout Ireland has been observed with satisfaction by the Government, and we have at the present time under consideration the question of removing the Proclamations under the Criminal Law Procedure Act, 1887, from such districts as may be found expedient.

MR. SEXTON (Belfast, W.): Will the right hon. Gentleman lay on the Table a Return showing the parts of Ireland subject to special provisions of the Crimes Act?

MR. A. J. BALFOUR: I think it hardly necessary to do that. The provisions most objected to in Ireland are, I think, those of Clause 2. In a large part of Ireland that clause is in force. I believe there are one or two provisions of the Act which it is generally felt ought to remain in force. But if the hon. Gentleman would like a Return showing in what districts the main provisions of Clause 2 are enforced—such, for instance, as the provisions against conspiracy—and also in what places the National League is proclaimed, I will see if that can be done.

MR. O'KEEFFE: As the right hon. Gentleman states it is the intention of the Government to revise the existing enforcement of the Act, can he tell me if it is the fact that no agrarian crime has occurred in the City of Limerick?

MR. A. J. BALFOUR: No, Sir.

MR. M. J. KENNY (Tyrone, Mid): Will the right hon. Gentleman consider the desirability of withdrawing the extra police now on duty in the various counties in which he intends to withdraw the Proclamation?

MR. A. J. BALFOUR: The extra police have been removed, or largely diminished, in many counties.

INCOME TAX UPON MUSEUMS AND PUBLIC LIBRARIES.

SIR E. J. REED (Cardiff): I beg to ask the Chancellor of the Exchequer whether his attention has been called to a decision of June, 1890, in the case of the "Aberdeen Commissioners of Supply *v.* Russell," from which it appears that, inasmuch as the money expended upon the buildings of a Public Library and Museum is a mortgage on the rates and not on the buildings, Income Tax must be paid upon the annual value of the buildings, in addition to the tax on the annual payment for interest, that is to say, the tax will have to be paid twice upon one set of buildings; whether he is aware that, with a maximum 1d. rate under the existing law, the income is barely sufficient, in the case of Cardiff and other large towns, to keep the institution going; and whether, under these circumstances, he will introduce a clause in the Bill now before the House, for excepting such Public Libraries and Museums from the payment of Income Tax under Schedule A, and thus relieve these very important Public Institutions from the evil which threatens them?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I understand that a test case will probably be brought before the High Court, and the hon. Member will see that it would be premature to consider whether the law should be altered until the High Court has definitely decided what the law is.

THE IRISH INTERMEDIATE EDUCATION BOARD.

MR. M. HEALY (Cork): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the effect of the new rule (No. 8) of the Intermediate Education Board in Ireland will be to place a student who happens to pass the junior grade twice in his thirteenth and fourteenth years respectively, in the

position that he must then in his fifteenth year enter for the middle grade, though that grade is intended for students in their seventeenth year; whether the rule in question is the result of, and the necessary consequence of, the new "preparatory grade" now for the first time initiated, and which is intended to take the place of the junior grade for the youngest class of students; and whether, as the preparatory grade is not to come into effect for two years, the operation of Rule 8 will be postponed for the same period? The hon. Member at the same time asked the Chief Secretary whether he is aware that No. 8 of the new rules issued by the Board of Intermediate Education in Ireland has caused great dissatisfaction amongst the teachers and pupils concerned, and is likely to work great mischief and injustice; whether under the existing rules it has hitherto been possible for a student to pass in the junior grade four times, *i.e.*, once in each of four different years; whether complaints have reached him that the new rule which has been issued during the past month, and made retrospective as well as prospective for the past year, has taken teachers and pupils by surprise; and that studies in all schools in Ireland had been conducted on the supposition that the rule which has always hitherto prevailed could not be altered; and whether the Board will re-consider this rule, with a view to postponing its operation for at least two years more?

MR. A. J. BALFOUR: The Commissioners of Intermediate Education inform me that the fact is as stated in the second paragraph. They have sent no information about the first paragraph. The new rule which has been made, and to which the hon. Member refers, does not come into operation until 1892. I rather gather from the tenor of the question that the hon. Member is under the impression that the rule comes into operation at once.

MR. M. HEALY: I will ask the right hon. Gentleman to say whether we may take as authoritative the statement he now makes that the rule in question will not come into force in the examination to be held in the course of the month?

MR. A. J. BALFOUR: I think I may answer that question decisively in the negative, because the Commissioners inform me the rule will not come into operation till 1892.

ROYAL NAVAL ARTILLERY VOLUNTEERS.

COLONEL HILL (Bristol, S.): I beg to ask the First Lord of the Admiralty whether he will lay upon the Table the Report of the Naval Committee respecting the Royal Naval Artillery Volunteers; whether he will state the number of the corps; if it be a fact that, ever since the formation of the Force, the Admiralty have received favourable Reports of their efficiency from the Naval Officers who have inspected them from time to time; and whether he will take these circumstances into consideration before taking any steps that would tend to deprive Her Majesty's Service of so fine a body of men?

LORD G. HAMILTON: I will certainly publish the Report upon the Royal Naval Artillery Volunteers. There are 12 corps numbering 1,947 members in all. The Reports from Inspecting Officers have been satisfactory so far as related to the efficiency of the men at gun and rifle drill. It is not proposed to deprive Her Majesty's Service of this fine body of men, but to gradually convert them into Marine Artillery. The main reason for this change is the impossibility, as proved by past experience, of converting landsmen into seamen by drill in shore batteries. The Admiralty appreciate the energy and patriotism with which the Royal Naval Artillery Volunteers have endeavoured to qualify themselves for sea work afloat, and feel confident that the changes proposed will enable them, by concentrating their attention on duties which they can master, to be of greater use than heretofore.

LAND COMMISSION—WEXFORD.

MR. J. BARRY (Wexford, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can now state when the Chief Land Commission will hold a sitting to hear the fair rent appeals from County Wexford, and if they will sit in the town of Wexford, in order to save the tenants the inconvenience and expense of bringing their witnesses to Dublin?

MR. A. J. BALFOUR: The Irish Land Commissioners report that they will sit in the town of Wexford on the 3rd June, to hear appeals from the county.

NAVAL OFFICERS' SONS AT CHRIST'S HOSPITAL.

CAPTAIN PRICE (Devonport): I beg to ask the hon. Member for the Penrith Division whether, considering the great loss inflicted upon the families of deserving Naval Officers by the cessation of the privilege hitherto enjoyed by them for nearly 100 years, of having 50 boys on the foundation of Christ's Hospital, the Charity Commissioners would be prepared to consider a Memorial asking for an amendment of the new scheme, so as to restore to the Governing Body the power to nominate Naval Officers' sons to the foundation to the same extent as heretofore?

MR. J. W. LOWTHER (Cumberland, Penrith): Any application from the Council of Almoners for amendment of the scheme lately approved by Her Majesty for the government of Christ's Hospital will receive careful consideration on the part of the Charity Commissioners.

TROOPS FOR BECHUANALAND.

SIR G. CAMPBELL (Kirkcaldy, &c.): I beg to ask the Under Secretary of State for the Colonies if it is true that preparations are being made at Cape Town for sending troops to Bechuanaland, and that the departure of a regiment for Natal has consequently been countermanded; and, if so, for what purpose the troops are going, and at whose expense?

*MR. E. STANHOPE: Perhaps the hon. Member will allow me to answer this question. Preparations are being made to replace the police with troops at certain posts within the colony of British Bechuanaland, because it may possibly become necessary to move the police now at those posts into the Bechuanaland Protectorate in order to defend it against raiding trekkers. The interchange of troops between Natal and Cape Town has been postponed until after to-day. If troops should ultimately be sent into British Bechuanaland, the expense, which would not be great, would fall on Imperial funds, as the colony is not self-supporting.

SERVICE FRANCHISE IN SUTHERLAND.

MR. ANGUS SUTHERLAND (Sutherland): I beg to ask the Lord Advocate whether the attention of the Secretary for Scotland has been called to entries in the current Valuation Roll relative to the Parish of Eddrachillis, in Sutherland, where four female domestic servants, who live within the residences of their employer, are entered in the Service Franchise column; and whether he will take steps to prevent such an infraction of the law?

*THE SOLICITOR GENERAL FOR SCOTLAND (Sir C. PEARSON, Edinburgh and St. Andrew's Universities): The Secretary for Scotland has not had his attention directed to the entries referred to. The entries in the Valuation Roll are made yearly by the assessor, subject to the appeal provided by the Valuation Acts. I may add that the statements in the question do not necessarily involve any infraction of the law.

RENT OF LABOURERS' COTTAGES.

DR. TANNER (Cork Co., Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with regard to the fact that the Irish Local Government Board have been pressing for the collection of the aggregate monthly rent of the labourers' cottages in the Unions of Macroom and Millstreet, County Cork, and the total sum due to the Guardians in respect of these rents, whether, taking into consideration the great poverty afflicting the labourers in these districts both at present and for the past year, and the absence of all Government relief works, the Unions be recommended in every fair and suitable case to remit arrears of current rent due for labourers' cottages?

MR. A. J. BALFOUR: The Local Government Board have not been pressing for the collection of the rents of the labourers' cottages in the Unions mentioned. It appears, however, as a matter of fact, that the rents in these cases are largely in arrear. The collection of such rents is altogether in the hands of the Guardians, and the Local Government Board are not empowered by the Acts to authorise any arrangement of the nature suggested in the concluding portion of the question. But I may say that, in my opinion, the fact that

such arrears are permitted to accumulate suggests serious doubts as to the ultimate advantage of the labourers' Acts when worked in this way.

THE RIVER ROSS.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any assistance will be given by the Irish Local Government Board to prevent the overflowing of the River Ross, in the Killavullen district, County Cork, by deepening the river and building up the banks, and thus prevent the dangerous inundations recently there experienced?

MR. A. J. BALFOUR: The Local Government Board have no power to give any assistance in carrying out improvements in connection with the river mentioned.

SANITARY CONDITION OF THE HOUSE.

DR. TANNER: I beg to ask the First Commissioner of Works, if it is intended to attempt to prevent the very bad smells which again of late have occasioned repeated complaints in the Galleries and Lobbies of this House; and whether complete sanitary precautions will be taken to prevent sewer gas endangering the health of the officials, and constant attendants of this House?

MR. PLUNKET: I do not think that complaints about bad smells have been lately at all as frequent as formerly they used to be; in fact, that contained in the question of the hon. Member is the first that has reached me this year. No doubt vagrant odours do some times come across the river and from other parts of the surrounding districts, to play about in the courtyards of this palace, and I fear it would not be possible entirely to exclude such unwelcome visitors. But hon. Members may rest assured that, so far as the drainage of this House is concerned, every precaution has been taken against the dangers of sewer gas that modern science can suggest.

DR. TANNER: Is the right hon. Gentleman aware that the smells recently noticed about the House have proceeded from the rear of the building? A constable in the Lobby in question told me when I inquired that it was the Ministers' Gallery.

MR. JOHNSTON (Belfast, S.): May I ask whether the right hon. Gentleman is satisfied as to the sanitary condition of Committee room No. 15?

OVERTIME IN THE POST OFFICE.

MR. NOLAN (Louth, N.): I beg to ask the Postmaster General whether, having regard to the fact that while sorters and telegraphists are paid 25 per cent. extra for all overtime, clerks are only paid at the ordinary rate, he will consider the advisability of placing the clerks on the same footing as sorters and telegraphists in the matter of remuneration for overtime?

MR. RAIKES: In reply to the hon. Member, I have to state that the extra duty rate payable to clerks has been only recently increased, and I am not prepared to increase it further.

THE DUBLIN POSTMEN.

SIR T. ESMONDE (Dublin Co., S.) I beg to ask the Postmaster General if a Memorial, drawn up in July last, has been received by the Post Office Authorities from the postmen of the City and County of Dublin; if so, whether it has been considered; and, if he is in a position to state what answer will be given to it?

MR. RAIKES: In reply to the hon. Baronet, I have to state that the Memorial from the Dublin postmen has been received and considered. The questions referred to in the Memorial have had to be considered with those of a similar character affecting the postmen of the United Kingdom generally. The subject has been exhaustively investigated by a Departmental Committee during several months, and their Report is now before me. I have decided what recommendations I should make thereon to the Treasury; and as soon as these have been considered by the Chancellor of the Exchequer, I shall hope to be able to inform the House of the course intended to be taken by the Government.

THE INFLUENZA.

MR. HOBHOUSE (Somersetshire, E.): I beg to ask the President of the Local Government Board whether, in view of the renewed outbreak of influenza, he will take immediate steps to communi-

cate, in a convenient form, to the medical profession and the public, any information as to the causes of that disease and its remedies which may be in the possession of the Department and its medical officers; and if he will order an inquiry to be held in the places principally affected by the present outbreak in order to throw further light on the conditions of the disease?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): An extensive inquiry has been made by Dr. Parsons and Dr. Bruce Low, two of the Medical Inspectors of the Local Government Board, and inquiries from the Medical Officers of Health throughout the country, but no information has been obtained to prove the origin of influenza. The disease would appear to have been introduced from abroad. The phenomena of its distribution may for the most part be explained by regarding influenza as an infective disease having a short incubation period, and having an infective quality in its earlier stages (perhaps before distinctive symptoms of influenza have appeared), and finding the large majority of persons susceptible to its infection. The question of remedies, from a medical point of view, is not one within the scope of the Department. On the re-appearance of influenza last month some further local inquiries were made on behalf of the Board by Dr. Bruce Low, principally in Yorkshire and Lincolnshire. The general belief is that the disease was in some way brought to Hull in the course of the month of February. No new light, however, has by these inquiries been thrown on the conditions of influenza. The Report of Dr. Parsons is in type and being revised, and, I hope, will soon be in the hands of the public.

MR. HOBHOUSE: Will a formal inquiry be held?

*MR. RITCHIE: No formal inquiry will be held, but we are getting information from the various Medical Officers of Health; and a careful watch is being kept, with the object of detecting anything that may throw light on the subject. The Report from which I am speaking will shortly be in the hands of the public, and all information in our possession at the time will be given with it.

Mr. Hobhouse

THE WELSH LANGUAGE IN WELSH PRISONS.

MR. D. THOMAS (Merthyr Tydvil): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to a letter in the *South Wales Daily News*, of 21st April last, headed "The Officials of our Prisons," in which it is stated that an official in a Glamorganshire prison refused to allow a woman, when visiting her son there, to speak to him in Welsh, the language she habitually used, and the only one she properly understood; and whether such official was acting in accordance with the regulations of Swansea Gaol, the prison referred to?

MR. MATTHEWS: I have not seen the letter in question; but I am informed by the Prison Commissioners that the prisoner opened the conversation in English, and on the woman replying in Welsh, the officer in charge asked if she could not speak English, and on being informed that she could, requested her to do so. There are no special regulations on this subject beyond the rule that requires visits to prisoners to take place in the presence of an officer.

THE MANIPUR DISASTER.

SIR H. HAVELOCK-ALLAN (Durham, S.E.): I beg to ask the Under Secretary of State for India, with reference to the recent Reports on the Manipur disaster, whether he can inform the House how it came to happen that a very small military expedition, consisting of less than 500 native soldiers, was sent on an enterprise having for its object the dethronement of the Ruler of the neighbouring State without apparently any proper military supervision or any responsible estimate being formed as to the resistance to be expected and the hostile force to be encountered, the adequacy or otherwise of the very small military force sent, and the provision of a proper reserve of ammunition for the two different descriptions of rifles employed; whether the district and station from which this military force started is under the immediate military supervision of any superior military officer; and, if so, by whom; and what steps the Go-

vernment of India propose to take for insuring proper military control in military matters, so as, if possible, to avert similar disaster to our arms in future?

SIR J. GORST: Full Reports on the subject have not yet been received. In reply to the second paragraph of the question, I have to say that the station is in the Assam District, and under the command of Brigadier General Collett. As to the third paragraph, the Secretary of State has not heard of any special steps being taken by the Government of India.

MR. BRYCE (Aberdeen, S.): Will the right hon. Gentleman take this opportunity of saying how soon the Papers which have reached the Government will be presented to the House?

SIR J. GORST: The Papers were presented to the House two days ago.

MR. BRYCE: When will they be distributed?

SIR J. GORST: That depends upon the printers.

CLONMEL GAOL.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether prisoners who suffer from epilepsy, and whose condition is known to the prison doctor in Clonmel Gaol, are still confined in ordinary cells in that prison?

MR. A. J. BALFOUR: The General Prisons Board report that they have made careful inquiry, and find that there is no ground for the allegation contained in this question.

DISHORNING OF CATTLE.

DR. TANNER: I beg to ask the President of the Board of Agriculture whether he is aware that the Scottish and Irish Law Courts have now decided contrary to the decision in the Court of Queen's Bench in England on the question of the dishorning of cattle; and if, under the circumstances, the Agricultural Department can take steps to ensure a judicial review of the case of "Forde *v.* Wiley"?

*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): I have no information on the subject beyond what I gather from the newspapers. The matter is now under the consideration of the Advisers of the Board; and in the course of a few days, when we have fuller information, I shall be able to make a further reply. It will probably be most convenient if the hon. Member would postpone his question until Monday, when a question on the same subject stands in the name of the hon. Baronet the Member for East Norfolk.

DR. TANNER: Monday next.

HALF-TIMERS.

MR. SUMMERS: I beg to ask the Secretary of State for the Home Department whether he can inform the House what is the number of girls, and what is the number of boys, between the ages of 10 and 11, and 11 and 12, respectively, who are employed as half-timers in factories and workshops in England and Wales, in Scotland, and in Ireland?

MR. MATTHEWS: I am having a Return prepared of the whole numbers of half-timers between the ages of 10 and 11, and 11 and 12, in textile factories in Lancashire, Yorkshire, and Cheshire, and I hope to present this Return next week. The total number of half-timers working in textile and non-textile factories throughout the United Kingdom is given in Parliamentary Returns 328 and 402 of 1890. I have no information as to workshops.

MR. SUMMERS: Will the Return distinguish the sexes?

MR. MATTHEWS: I am afraid the answers I have received do not do so, and I should have to send out fresh Circulars to do it.

SEED POTATOES.

DR. TANNER: I beg to ask the President of the Board of Agriculture if the Agricultural Department have any information whether seed potatoes recently distributed in the many Poor Law Unions in Ireland can withstand the "Phytopthora infestans," if planted in fields or gardens previously infected with the fungus, when such fields or gardens are not cleared of all haulm and leafage, as well as every infected tuber; what period of time should be permitted to elapse prior to re-planting seed potatoes after infection of such fields or gardens; and whether he is aware that "oospores" are now proved to have been obtained direct from the ground

where they were deposited by filtration; and, if so, whether any means can be recommended for destroying this cause of infection?

*MR. CHAPLIN: We have no information at the Board of Agriculture as to what seed potatoes have been distributed by the Irish Government, and I am, therefore, unable to give specific replies to the various questions of the hon. Member, which only appeared on the Paper this morning. I may mention, however, for the guidance of the hon. Member that he will find full information on the various branches of this subject in articles which have been published in the *Journal of the Royal Agricultural Society of England* for the years 1873–1876 by Mr. Carruthers, consulting botanist to the Society, and by Professor A. De Bary, of the University of Strasbourg; in the Report of a Select Committee of this House in 1880 (potato blight), and in the Annual Report just issued by the Intelligence Department of the Board of Agriculture, in which a chapter is devoted to the life history of the "phytopthora infestans" and the effect of "oospores" in propagating this fungus. I may add that a leaflet containing the results of recent experiments abroad and dealing with the methods of arresting the disease has been prepared, and will be issued directly by the Board of Agriculture. If the hon. Member desires to know anything further than what is contained in the documents to which I have referred him, and will give me somewhat longer notice, I shall be delighted to place at his disposal all the information which is possessed by the Board of Agriculture.

THE SITE OF MILLBANK PRISON.

LORD HENRY BRUCE (Wilts, Chippenham): I beg to ask the Secretary of State for the Home Department whether the Government will allow the public to approach them as regards the Millbank Prison site, now negotiations have failed with the London County Council as regards a fair market price for the land?

MR. MATTHEWS: Legislation will be necessary for the disposal of the Millbank site to private persons or Corporations, and a Bill is now being drafted having this object in view. In the meantime, the Government are prepared to consider any offer that may be made to them.

POLLUTION OF THE THAMES AT STAINES.

MR. ATHERLEY-JONES (Durham, N.W.): I beg to ask the President of the Local Government Board whether his attention has been drawn to the fact that the sewage matter from the cesspools in the Staines district, in large quantities, flows into the Thames above the intakes of the London Water Companies, and that, for some years past, typhoid and other zymotic disease have been endemic in that district; and whether the Local Government Board intend to take any steps to remedy this state of things?

*MR. RITCHIE: As regards the Staines Urban Sanitary District, the arrangements with respect to the disposal of sewage are very unsatisfactory, and I have no reason to doubt that some of the sewage from this district finds its way unpurified into the Thames above the intake of Water Companies. This matter has been the subject of repeated communications to the Local Board, but hitherto they appear to have failed to realise their responsibility in the matter. With regard to the Staines Rural Sanitary District, the condition of things is fully described in a Report by one of the Board's Inspectors, which was issued last month, and which the Local Government Board have brought specially under the attention of the Local Authority and the County Council of Middlesex. The Inspector in this Report states that in no one of the past seven years for which he has record has the district been free from typhoid fever, and that this disease has been very high in rank among the zymotic causes of death. The Thames Conservancy Board instituted proceedings against the Staines Local Board by indictment, but the procedings failed, the Court holding that the Local Board had not caused or suffered the sewage to flow into the river, as it passed by drains which had been provided by the owners and occupiers of houses and not by the Local Board. The Conservators have since served notice upon more than 100 individuals to discontinue this discharge of sewage. The Statute allows 12 months for compliance with the requir

ments of the notice. This time has now expired, and the Board are informed by the Conservators that it is intended to proceed against some of these persons by way of test cases. I was informed on the 28th of last month that should nothing satisfactory result from the recent election of members of the Local Board the test cases will be proceeded with. The Local Government Board are empowered, under Section 299 of the Public Health Act, on formal complaint by any persons that the Sanitary Authority have made default in not providing sufficient sewers for their district, to direct a local inquiry, and if, after inquiry, they are satisfied of the default, to issue an order requiring the Authority to discharge their duty in the matter. If the Board receive such a complaint from persons resident in the district I will take care that prompt action is taken.

NEWFOUNDLAND.

MR. J. MORLEY (Newcastle-upon-Tyne): I beg to ask the Under Secretary of State for the Colonies whether he will lay upon the Table of the House the Letter from the Newfoundland delegates of 1st May, together with the reply of the Secretary of State, as well as the telegrams from the Governor upon the same subject?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): These Papers will be laid upon the Table, together with the further Letter from the delegates, which appears in to-day's newspapers, and the answer which will be sent to that Letter.

NEGOTIATIONS WITH PORTUGAL.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the Under Secretary of State for Foreign Affairs whether he can now state whether the *modus vivendi* with Portugal, which expires on the 15th inst., will be renewed, or whether a definite Treaty will be concluded before that date; and whether he can assure the House, that in any such permanent arrangement come to with Portugal, the rights of free navigation which have been secured on the Zambesi will also be secured on the Pungwé, Limpopo, and all other navigable streams between British territory and the East Coast?

SIR J. FERGUSSON: Negotiations are proceeding with Portugal, but I cannot state whether they will result in a Treaty. I am not in a position to give any information as to the terms of the arrangement that may be come to.

MR. JOHN CULLINANE.

MR. T. M. HEALY (Longford, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the present condition of Mr. John Cullinane of Bansha, who is in prison in Tullamore although his sentence has expired; and why the doctor, when he found Mr. Cullinane in such a debilitated condition, did not order his discharge?

MR. A. J. BALFOUR: I have no information which alters the statement I made to the House yesterday, that Mr. Cullinane is seriously ill.

MR. T. M. HEALY: Was it not the duty of the doctor, in view of the questions which have been asked in the House, to send a report for our information?

[No answer.]

DUTY ON FRENCH WINES.

MR. WHITLEY (Liverpool, Everton): I beg to ask the First Lord of the Treasury whether Her Majesty's Government is precluded by the terms of any Treaty from revising or increasing the Customs Duties now payable on French wines coming into this country?

SIR J. FERGUSSON: Her Majesty's Government are not precluded from taking any step of the nature indicated, should it be thought advisable.

THE BERLIN CONFERENCE AND CHILD LABOUR.

MR. MACLEAN (Oldham): I beg to ask the First Lord of the Treasury whether the assent given by Her Majesty's Government, in Lord Salisbury's telegram of 26th March, 1890, to the resolution of the Berlin Labour Conference, raising the minimum age of child labour to 12 years, was absolute and unconditional; or, whether it was subject, in the first place, to the general reservation of the right of this country, as stated in the Despatch of the right hon. Member for Chatham, from Berlin, of 22nd March, 1890,

"to make such exceptions as special local circumstances, the sentiments of particular

classes of the population, and the necessities of special branches of industry, may from time to time require ; "

and, secondly, to the special reservation made by the right hon. Gentleman, in his speech at the meeting of the Conference of 27th March, 1890, in favour of the half-time system which he said "had been followed by very good results for more than 40 years," and which the English people had "no wish to change without due consideration?"

*MR. SUMMERS: Before the right hon. Gentleman answers this question, I should like to ask him whether he is aware that the extract from the speech of Sir John Gorst, made by the hon. Member for Oldham, had no reference whatever to the question whether or not the age of half-timers should be raised from 10 to 12, but had reference to an entirely distinct and separate question, namely, whether, in addition to requiring that children should be 12 years of age before they were permitted to go to work in factories, the Conference should also require them to pass a certain educational test ; and, further, whether the right hon. Gentleman is aware that the speech from which this extract is taken is reported in the Parliamentary Paper entitled "Further Correspondence respecting the International Labour Conference at Berlin," p. 150, as commencing thus : Sir John Gorst, in the name of the Delegation of Great Britain, speaks as follows :—

"The delegates of Great Britain are of opinion that the Conference should not take on itself the responsibility of admitting that the limit of age for the work of children in southern countries be fixed at 10 years. The limit of 12 years has been generally adopted by the Conference in consideration of the demands of the physical, moral, and intellectual development of the children,"

and as ending with these words—

"We can pledge ourselves for Great Britain that our Government, faithful to its action in the past, will conform resolutely in the future, if it does not even go beyond them, to the benevolent principles of the Conference."

*MR. BUCHANAN: May I ask the right hon. Gentleman if he is aware that on the 17th of February last a question was put to the First Lord of the Treasury by the hon. Member for Oldham on this subject, and that at that time there was no doubt suggested by the First Lord as to the adoption by Her Majesty's Government of the age limit fixed at Berlin, and the hon. Member asked if it was to be enforced upon India ?

*SIR J. FERGUSSON: In answer to the hon. Member for Oldham, I have to say that Her Majesty's Government assented to the proposal subject to the reservations mentioned in the question. I think that this answer covers the subsequent questions that have been put upon the Paper.

*MR. SUMMERS: I should like to ask the right hon. Gentleman a further question upon this subject, which is this : Whether he is aware that on May 3, 1890, Lord Salisbury wrote from the Foreign Office the following letter to Sir John Gorst :—

"The Marquess of Salisbury to Sir J. Gorst, M.P.

"Foreign Office, May 3, 1890.

"Sir,—I have to convey to you the approval of Her Majesty's Government of your proceedings at the recent Labour Conference at Berlin, and their appreciation of the important and valuable services rendered by you as one of Her Majesty's Plenipotentiaries on that occasion.

"I am, &c.

"(Signed) SALISBURY."

*SIR J. FERGUSSON: No doubt the facts are as the hon. Member says; but at the proper time I shall be prepared to show that there has been no inconsistency on the part of the Government.

MR. SUMMERS: I will put a further question to the First Lord of the Treasury on a future occasion.

*MR. MACLEAN: May I ask whether the passages which have been cited from the speeches of the right hon. Member for Chatham by hon. Members opposite do not refer to full-timers, and not at all to half-timers; and whether it may not be taken for granted that Her Majesty's Government are under no obligation to foreign Powers with respect to children employed on the half time system ?

*SIR J. FERGUSSON: I think these questions go beyond the recognised limits.

THE WHITSUNTIDE RECESS.

SIR G. CAMPBELL: I beg to ask the Chancellor of the Exchequer if he can give the House any indication to what date he is likely to move the Adjournment of the House in the event of the Committee stage of the Land

Purchase Bill being concluded before Whit Sunday?

Mr. GOSCHEN: In the event of the Committee stage on the Purchase of Land and Congested Districts (Ireland) Bill being closed before Whitsuntide, we propose to have a Morning Sitting on Friday, the 15th inst., and then to adjourn until May 21.

THE MINES (EIGHT HOURS) BILL.

Mr. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Chancellor of the Exchequer whether he will allow the Mines (Eight Hours) Bill to be read a second time and be referred to the Select Committee on Railway Servants (Hours of Labour); if not, considering the Government has secured the whole time of the House, will he arrange a day for the continuation of the Debate on the Second Reading of the Bill?

Mr. GOSCHEN: The House would probably not allow the Bill to be referred to a Select Committee without considerable Debate, and, as my right hon. Friend (Mr. W. H. Smith) has already stated, it is quite impossible for the Government to find a day for the Bill.

Mr. CUNINGHAME GRAHAM: Having regard to the extreme importance of the question and the statement at the Miners' Congress held in Paris that in the event of difficulty being found in obtaining the attention of Governments in Europe to this subject, it might be advisable to direct a general strike, I would ask the right hon. Gentleman whether it is not possible for him to re-consider his answer so that such a lamentable result may not be brought about by reason of a single day's Debate being refused?

Mr. GOSCHEN: I cannot change the answer I have given the hon. Member. My right hon. Friend cannot possibly find time.

Mr. CUNINGHAME GRAHAM: Is the right hon. Gentleman aware that the answer given me the other day by the First Lord of the Treasury had reference to the general Eight Hours Bill, not the special Bill in reference to miners? The right hon. Gentleman will observe the two questions are quite distinct; one Bill embraces all trades, the other relates to mining only.

Mr. GOSCHEN: There is no time at the disposal of the Government for the purpose.

Mr. CUNINGHAME GRAHAM: Am I to understand that the subject is not to be discussed, although——

*Mr. SPEAKER: Order, order!

WORKS IN THE WESTERN HIGHLANDS.

Dr. CLARK (Caithness): I beg to ask the Chancellor of the Exchequer when he intends to submit the Supplementary Estimates for the proposed works in the Western Highlands; and whether it is the case that contracts have been entered into, and are now being carried out, before the Estimates have been submitted?

Mr. GOSCHEN: I hope it may be possible to prepare and lay on the Table an Estimate for the proposed works in the Western Highlands before Whitsuntide, and we shall propose to take it on one of the early days of Supply. A contract has been made for an extension and improvement of the Mail Service, but I am not aware that any contract for works has yet been entered into.

THE DYNAMITE PRISONER, M'GRATH.

Mr. T. M. HEALY: I beg to ask the Secretary of State for the Home Department if his attention has been called to the inquest on a prisoner named M'Grath, said to have been convicted in 1881 on a dynamite charge; how long was M'Grath ill; how often had he been in hospital, for what periods, and for what complaints; why was he not released before death, as other dynamite prisoners were, and as was stated by the Home Department to be the settled practice; and had the prisoner any friends, and were they informed that he was dying?

Mr. MATTHEWS: I am informed by the Prison Commissioners that M'Grath was ill from the 17th of March, 1891, to the 28th April, 1891. He had only once been in hospital before this illness, namely, from the 27th of August, 1885, to the 1st of September, 1885. He then suffered from bronchial catarrh. He was reported dangerously ill on the 21st of April, but he was at the same time reported as being unfit for removal. His

friends were at once informed of his condition, and visited him on the 23rd of April. The prisoner informed them that he had the best of treatment. The cause of death was acute tuberculosis of the lungs.

MR. SEXTON: Is it possible that the medical man did not discover this disease in time for the man to be discharged from prison?

MR. MATTHEWS: When he was reported dangerously ill on April 21 he was reported unfit for removal. Removal from prison is ordered when further imprisonment would be dangerous to life?

MR. T. M. HEALY: It seems strange if the doctor diagnosed the case when the man was sent into hospital that he did not report there was danger of death. The right hon. Gentleman or his predecessor at the Home Office, the right hon. Member for Derby, instituted the practice in English prisons, in Ireland the treatment is less humane, of releasing a prisoner when in danger of death; why was this course not followed, and the man sent home to his friends when it was discovered his illness was likely to be mortal?

MR. MATTHEWS: The hon. Member has mistaken the practice. The practice is to release a prisoner before the completion of his term of imprisonment if it is shown that continued imprisonment will endanger his life. Of course, to detain a prisoner after that is reported would be to substitute the punishment of death for imprisonment.

DR. TANNER: Can the right hon. Gentleman say when the tuberculosis from which the prisoner died entered on the acute phase? When was he diagnosed by the medical man?

MR. MATTHEWS: I will read the Report from the doctor.

[The right hon. Gentleman read the Report at length.]

MR. T. M. HEALY: Were the prisoner's friends English, Irish, or American?

MR. MATTHEWS: I have not ascertained. I will do so if the hon. Member desires it.

MR. PARNELL (Cork): Was the 17th of March the first date when the medical officer detected that the prisoner was suffering from tuberculosis of the lungs? The Report the right hon. Gentleman has just read states that he was found on that date to be suffering from the disease. I imagine there were precedent stages which might have been detected.

MR. MATTHEWS: I do not understand the Report quite in the same way as the hon. Member. The Report states that on the date of the Report, namely, 26th April, M'Grath was then suffering from the disease. He was admitted to hospital 17th March this year. Then the disease made rapid progress, and late in April entered upon an acute stage.

DR. TANNER: The date given is March 17, when the man had several cavities in the lungs, and there must have been precedent stages.

MR. MATTHEWS: The Report does not say that.

MR. T. M. HEALY: In view of the Report made by the Commission appointed by the right hon. Gentleman some year and a half ago, when this man was reported sound—and tuberculosis is, I understand, a lingering disease—and having regard to the Blue Book, will the right hon. Gentleman cause further inquiry to be made on this point?

MR. MATTHEWS: I will make any further inquiry the hon. Member desires.

NEW MEMBER SWORN.

Sydney James Stern, esquire, for the County of Suffolk (North-Western or Stowmarket Divisio n.)

ORDERS OF THE DAY.

MAIL SHIPS BILL.—(No. 163.)

As amended, further considered.

Amendments made.

Bill read the third time, and passed.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

Considered in Committee.

(In the Committee.)

Clause 5.

Amendment proposed, in page 6, line 37, to leave out the words "Reserve Fund," and insert the words "Guarantee Deposit."—(*Mr. Morton.*)

Question again proposed, "That the words 'Reserve Fund' stand part of the Clause."

(5.46.) MR. SEXTON (Belfast, W.): Before we come to a decision on the Amendment before us, which raises the question, whether, to meet the case of exceptional agricultural distress, advances should be made from the "Reserve Fund" or the guarantee deposit, I think it is desirable, after the conversation of last evening, that we should ascertain precisely where we stand. The right hon. Gentleman has declared the Government have two objects in view in introducing this sub-section—first, the object of relieving the ratepayers from a burden they would otherwise have to meet. I must confess that I am unable to discover that the interests of the ratepayers are very much concerned in it. It appears to me that when you make good the deficiency it is a matter of little importance to the ratepayers whether this is done from the Reserve Fund or the Guarantee Fund. Deficiency wherever you find it in this Bill means deficiency in the Land Purchase Account, and whether you make good the deficiency from the one fund or the other the county will be equally interested. The second object the right hon. Gentleman explained was to save the tenant from eviction in a case where, owing to exceptional calamity, he is temporarily unable to keep up the payment of his purchase instalments; but I must say that in the sub-section as drawn, I see no trace of such intention. Unless the sub-section is amended it is difficult to understand how the second object is to be effected, because the sub-section will not come into play until the deficiency has arisen in the Land Purchase Account, and such deficiency cannot arise until the Land Commissioners have exhausted their legal remedy against the tenant. Before they come upon the guarantee they are bound to come upon the holding. So that the deficiency cannot occur until the Commissioners have exhausted their power by civil action or by eviction. Now, I think it should be made clear that in cases of exceptional distress means should be taken to make good the temporary deficiency before the Commissioners proceed to worry the tenant by legal proceedings, and still more before they proceed to terminate his interest by eviction. I showed yesterday that the two objects of the right hon. Gentleman could not be secured by the same means, and, therefore, he should confine himself to securing the second, the saving the tenant from eviction, the provision for the Reserve Fund being made later. The present Amendment leads up to this.

(5.50.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I do not know if the hon. Member has a copy of my proposed Amendment.

MR. SEXTON: Yes; it is here.

MR. A. J. BALFOUR: To the process we propose to follow I should scarcely be in order in addressing myself on the present Amendment, as to which I can only say that to adopt it would militate against the whole scheme of the Bill.

MR. T. M. HEALY (Longford, N.): It would be better to dispose of the present Amendment at once.

Amendment, by leave, withdrawn.

(5.52.) MR. SEXTON: I trust the right hon. Gentleman may accept my proposal to omit the reference to the Order having the sanction of Parliament. The sub-section proposes on the Report of the Land Commission and Local Government Board to give the Lord Lieutenant power, in the case of the non-payment of the Purchase Annuities in consequence of exceptional agricultural distress, to order that the deficiency should be made up out of the Reserve Fund, but the condition is attached that the Order of the Lord Lieutenant shall lie before Parliament for 30 days without being objected to by either House before it can take effect. It is obvious that this month's suspension might cause serious delay in a case of great emergency, and, besides, there is the possibility that Parliament may not be sitting, and the delay may extend over half a year. Also let me remind the Committee that as the money in question is Irish money and no Imperial Fund is concerned, the sanction of Parliament ought not to be required. Surely, with the safeguard afforded by the representations required from the Local Government Board, and the Land Commission, there is no necessity for imposing this rate?

Amendment proposed, in page 6, line 39, to leave out from the word "advance," to the word "and," in line 42.—(*Mr. Sexton.*)

Question proposed,

"That the words 'but the order shall not come into operation till it has lain before both Houses of Parliament for not less than 30 days, nor if,' stand part of the Clause."

(5.55.) MR. A. J. BALFOUR: I cannot ask the Committee to adopt this Amendment. There can be no doubt that this sub-section is open to the danger of abuse. It is often most difficult in regard to Irish distress to decide whether the distress is real in the fullest sense of the word. Local pressure upon the Local Government Board and the Lord Lieutenant may be so serious that the Lord Lieutenant may find it difficult to resist the demand that a locality shall be declared entitled to the benefit of the Guarantee Fund, and it is more desirable that the Lord Lieutenant should be prepared with conclusive proof of the necessity which will be put before Parliament before the sub-section is put into operation. Though the fund is Irish it is but slightly connected with any particular county, and is drawn from the entire country, urban and rural, and under these circumstances the proper distribution of the money ought to be rigorously guarded.

MR. SEXTON: There is the consent of the Treasury.

MR. A. J. BALFOUR: The Treasury are much better guardians of their own funds than of the funds of other people. It does not involve Treasury considerations. In view of the extreme difficulty there might be in resisting the pressure that might be brought to bear, and of the character of the cry of distress, it is absolutely necessary for the sake of the Land Commission, the Local Government Board, and the Lord Lieutenant, that the assent of both Houses of Parliament should be obtained. I am very jealous, indeed, about diminishing such securities as have been introduced for the proper protection of the funds.

(5.58.) MR. T. M. HEALY: There are ample securities. First, there is the security of the Lord Lieutenant; secondly, the security of the Local Government Board; thirdly, the security of the Land Commission; and then the security of the Treasury. Why, then, should you want to get the consent of Parliament? With regard to the distress of the present season, if there was any fault on our part, it was that we did not sufficiently urge the House with reference to it. The right hon. Gentleman denied that there was distress, and, instead of churlishly taunting him, we let him go on. When, in consequence of his visit to the West of Ireland, he found there was distress, he began to take measures. The question is whether the Lord Lieutenant, the Local Government Board, the Land Commission, and the Treasury are likely all to make a mistake unless the British Parliament, which is probably the most ignorant body that could be conceived in these matters, confirm their views. A more remarkable proposition never came from the most remarkable Chief Secretary that ever sat on the Treasury Bench.

(6.2.) VISCOUNT LYMINGTON (Devon, South Molton): For my part, I think this provision a highly objectionable one. If this deficiency comes out of anyone's pocket, it should come out of the pocket of the landlord at the time the landlord sells his property.

THE CHAIRMAN: These remarks do not seem relevant to the Motion now before the Committee.

(6.4.) MR. T. W. RUSSELL (Tyrone, S.): I agree that it is most desirable to provide for the assistance of the purchasing tenants, who, in seasons of agricultural calamity, may be unable to pay their instalments; but I am strongly of opinion that every guarantee should be afforded that such agricultural calamity actually exists before the proposed relief is given. The Lord Lieutenant, the Local Government Board, and the Land Commission are all open to pressure, and the words which are proposed to be left out will provide a means of supervision and discussion in Parliament which will, I think, be found very useful. The proceedings in Ireland will be private, and the advantage of having these words in the clause is that, at all events, the peasants, in order to escape the payment of the annuity, will have to prove the distress openly, and subject to discussion in this House. I shall, therefore, support the clause as it stands.

(6.6.) MR. M. J. KENNY (Tyrone, Mid): The provisions of the sub-section

are not exactly as the hon. Member stated. Besides the Land Commission and the Local Government Board there is the Treasury, whose consent has to be obtained. It is claimed, that after the consent of the Treasury is given, the conduct of the Treasury is open to discussion in this House, and may be challenged. The effect, however, of retaining these words is simply this: that they create a possibility at some future time of having to wait for six or seven months before the consent of the House of Commons can be obtained to a particular advance. I would urge on the Chief Secretary that the Treasury is the real safeguard in this case, the right to challenge its conduct in this House is equivalent to any safeguard that can be provided by these particular words. I hope, therefore, these words will be struck out. For my part, I do not believe the sub-section will ever be used by purchasers as a means of evading their just debts, and so far the people have not made any attempt whatever to evade payment of their instalments.

(6.9.) MR. CONYBEARE (Cornwall, Camborne): It is always painful to me to have to say anything in support of the Government; but I am bound to say, I hope they will not give way on this point. I believe in the arguments addressed to the Committee by the right hon. Gentleman as to the proneness of the people to make bogus appeals for charitable assistance. I have seen a good deal of Ireland when there has been real distress, and I can only say that my acquaintance with the people of that country convinces me that there is no more desire or tendency in the character of the people of Ireland to become demoralised in this way or to attempt to obtain charitable assistance from the State by false means than there would be in this country, or, so far as I know, amongst any other people in any other country. The people of Ireland are as upright and honourable in these respects as we are ourselves, though it stands to reason, that if you offer poor, starving people the opportunity to obtain charitable assistance they will avail themselves of the opportunity. I am not opposing the Amendment on that ground, but on the broad Liberal ground that we should retain in every part of the Bill the fullest control of Parliament over its operations. I should be sorry to see any weakening of the authority of the House in the administration of this measure. It seems to me that if we retain these words we shall leave ourselves a loop hole, or an opening for most interesting discussions in the future as to the condition of Ireland, and if that has no other tendency or effect, I am sure it will show the people of this country the absurdity of the measure and the desirability of getting rid of it as soon as possible. The right hon. Gentleman interposed just now when my hon. Friend was referring to real distress having existed in Ireland during the past winter, with the remark that statements had been made showing that there had been false representations by the people of Ireland as to the existence of distress. I think that it is a very unfair suggestion on the part of the right hon. Gentleman. If he tells us that there was no real distress in Ireland, what becomes of all his arguments in favour of light railways and other relief works, and how is it that he made an appeal to charitably disposed people in this country, and got up a Relief Fund amounting to £20,000? It seems to me rather late in the day to come to the House and say that there was no real distress in Ireland in the course of the winter.

(6.16.) MR. SEXTON: What has been said against the Amendment comes to this, that there is a danger of the people being able to deceive the Lord Lieutenant and the Local Government Board and the Land Commission into the belief that there is distress, when, as a matter of fact, it does not exist. It would be impossible for such deceit to take place. The Local Government Board have their Inspectors who make careful inquiries and submit Reports; the Land Commission have also their Inspectors in every part of Ireland; and the Lord Lieutenant has very zealous and capable agents in every parish. It is impossible to believe that the people can deceive these three authorities as to their exact position. Whatever may be said of the Local Authorities in Ireland, you have the Imperial Treasury at Whitehall, and I should be very much surprised if they did not take means to sift the matter if there was any complaint of distress. The tendency of all Treasuries is rather to resist demands of this kind than to yield to them. Therefore, I think the right hon. Gentleman should be satis-

fied with the jurisdiction and control provided. But you provide an empty form. I have been 11 years in this House, and I have never known the action of the Lord Lieutenant discredited in the other House. The form is empty; and that being so, it would invariably have the effect simply of delaying relief of distress for a long time. Distress takes place through a failure of the harvest, and it becomes cutting about the spring. These Reports would fructify just about the time that Parliament rose. The tenants would be all in a state of suspense as to what was going to be done, wondering if they would be helped to pay the annuities or not. Such a state of suspense would be most damaging to agriculture or any other industry. Taking it altogether, I think that, considering the sufficiency of the control of the Castle in Dublin, the right hon. Gentleman need not impose a delay that would be hurtful to the public interest.

(6.19.) MR. A. J. BALFOUR: The question raised by the Amendment is not so simple as the hon. Gentleman imagines. I can assure him from bitter and painful experience that nothing in this world is more difficult than for different persons to come to an agreement as to the amount of distress in any particular district of Ireland. I have in my mind a case where a Local Government Board Inspector sent up the most heartrending Reports of the condition of a certain district, and yet, on closer and more careful inquiries being made, it was demonstrated——

MR. CHANCE (Kilkenny, S.): By whom?

MR. A. J. BALFOUR: I will satisfy the hon. Gentleman—that the distress was not exceptional. The parish priest of the district confessed that if public works were started in that district, where the people were represented to be starving, and wages at the normal rate found ample in other parts of Ireland were paid, nobody would come and work upon them. That is a conclusive proof of what I assert. Any one who knows Ireland is aware that in many parts of the country we have to deal with a population which, at the best of times, is poor, and looks poorer than it is. Beyond question the standard of comfort is very low, but very often it is impossible to make out how well off the people are. A mere surface or even house to house inspection, unless it is conducted with the utmost precaution, will not convey an accurate idea of the real condition of the people. That is a fact absolutely undeniable to every man who knows anything whatever about the West of Ireland. Under these circumstances, I traverse the very foundation of the argument of the hon. Gentleman. I think the Public Bodies in question, the Local Government Board, the Land Commission, and the Lord Lieutenant, should be put on their mettle, and get every available proof of the condition of the country which they propose to relieve, their responsibility should be made as wide as possible, and they should have to defend their action by laying their evidence before both Houses of Parliament. From a not inconsiderable experience of this very question I cannot conscientiously advise the Committee to alter the subsection in the manner proposed.

(6.24.) MR. J. MORLEY (Newcastle-upon-Tyne): I would point out that the Local Government Board by all its traditions is constantly on the look out for spurious allegations of distress, and I would far rather trust the Local Government Board in such a matter than this House in one of its sentimental moods. The provision as it stands is calculated to bring before the House discussions which will take a great deal of time and stir up considerable feeling. Moreover, this advance is not, as has hitherto been supposed, a free gift, but it is expressly a loan, and that is in itself a reason why Parliament should not be troubled with the matter.

MR. A. J. BALFOUR: In reply to the right hon. Member for Newcastle, I will say that if I had to choose between the Local Government Board and this House I should choose the Local Government Board, but as the clause stands we have both safeguards. The Local Government Board will feel their responsibilities all the greater if they have to carry them out in the face of public opinion. With regard to his second observation, though in the drafting of the clause it is true that the alleviation to individual buyers is by way of loan, the alleviation to the ratepayers in a district may be by way of gift, and, that being so, the second objection of the right hon. Gentleman falls to the ground.

(6.26.) MR. CHANCE: The difficulty in which the right hon. Gentle-

man finds himself is due to his stubborn refusal to let the people, whose money this is, have anything to say as to the distribution of it. If he did not deprive the Local Authorities of the control of this reserve fund, he would find his course much easier. Who would be the best guardians of that fund? Obviously some Local Authority in the county, who would consider whether they should apply the money to the benefit of the whole community in a district, or to a special class of individuals. The right hon. Gentleman says that if he had to choose between this House and the Land Commission he should prefer the latter; but I would remind him that before we got into Committee we passed a Resolution erecting the Land Commission into a judicial tribunal.

MR. A. J. BALFOUR: The argument of the right hon. Gentleman opposite referred to the Local Government Board, and not to the Land Commission.

MR. CHANCE: The argument applies to both. The Land Commission is one of the bodies to be consulted, and I ask how can this House pass a Resolution interfering with the act of a judicial tribunal? This fund must be unlocked by the action of the Land Commission, and for the first time in the history of Courts this House is to sit down and consider whether the judicial act of the Commission shall have effect, or whether it shall reprimand that tribunal. What is the argument of the hon. Member for South Tyrone? I noticed that the right hon. Gentleman the Chief Secretary, with the greatest shrewdness, passed it off without notice. The hon. Member said, "If you allow the people a chance of getting the money by acting dishonestly, and getting up a dishonest cry of distress, you will induce them to act dishonestly." If that argument is to have any value the hon. Member for South Tyrone must have anticipated the possibility of that occurrence; but the whole principle of this Bill is that the people may be expected to act honestly. If you expect them to act dishonestly you should not advance them the money. It is only when the Land Commission is asked to listen to a cry of distress that this control is to come in. I would suggest that if the right hon. Gentleman is determined to reject this Amendment he might at least substitute an Address by either House of Parliament, instead of both Houses of Parliament. Obviously, it would be absurd that an Address negatived by this House should be affirmed by the other.

MR. KNOX (Cavan, W.): I would propose a compromise to avert the difficulty pointed out by the hon. Member for West Belfast. It is to insert, in line 29, the words "If Parliament be then sitting," in order to avoid the inconvenience of a long recess. I think that will be a reasonable compromise.

(6.33.) MR. LABOUCHERE (Northampton): I do not think the right hon. Gentleman's line of argument will tend to make the Bill pass through the House with facility. His words would suggest that the Irish tenants are such utter and cunning knaves they are not to be trusted. It does seem to me that Parliament ought not to resign its control. Neither the Lord Lieutenant or the Land Commission is elective, and, for my part, I think the Amendment is not of very great importance, because the Treasury will be practically the representatives of the majority of this House, and will be supported if they grant any remission. I think there is great point in the suggestion of the hon. Member, that we should not leave it entirely to the House of Lords to interpose their veto, and to prevent this remission being given if it be deemed desirable by this House.

SIR G. CAMPBELL (Kirkcaldy, &c.): I am thoroughly convinced that if there is any chance of obtaining a remission, the agriculturalists of Ireland will try to get as much as they can, just as would the people of any other country. In my opinion, the Government cannot be too cautious in adding guarantee to guarantee.

MR. SHAW LEFEVRE (Bradford, Central): I would point out that we are not dealing with public money, and that it is from the Exchequer contribution, and any money lent in this way would have to be paid back again to the Exchequer.

MR. A. J. BALFOUR: The people who make the gift are not the ratepayers of the district, but the ratepayers of the whole of Ireland; and how possibly can we give local control of a fund which is dealt with by 36 or 37 separate bodies?

MR. SEXTON: Need there be a Resolution of both Houses?

MR. A. J. BALFOUR: I think it should be joint action. The Local Government Board would have the initiative before any representations are made to Parliament at all.

(6.40.) The Committee divided:—Ayes 217; Noes 130.—(Div. List, No. 198.)

MR. CHANCE: I have now to move the omission of the words "either House passes," in order to insert the words "both Houses pass within the same period."

MR. A. J. BALFOUR: I do not see any objection to the Amendment moved by the hon. Member, and, therefore, I shall not oppose its insertion.

Amendment proposed, in page 6, line 41, to leave out the words "either House passes," and insert the words "both Houses pass within the same period."—(*Mr. Chance.*)—Agreed to.

MR. SEXTON: I have now to move the omission of the words "with interest at the prescribed rate." These words are scattered over the Bill without any apparent purpose or meaning, and it will be much better that they should be omitted.

Amendment proposed, in page 6, line 42, to leave out the words "with interest at the prescribed rate."—(*Mr. Sexton.*)

MR. A. J. BALFOUR: I cannot see that any important object is to be gained by the omission of these words. At the same time, I do not think it necessary to insist on their retention. I shall not, therefore, oppose the Amendment.

Amendment agreed to.

(6.50.) MR. A. J. BALFOUR: The Committee will remember that towards the end of our Sitting yesterday we got into a discussion on a part of this clause, and as the result of what then occurred, I have endeavoured to elaborate an Amendment which I am afraid is not very simple, but which is intended to carry into effect, as far as possible, the two objects which I then said were aimed at by this clause. These objects are, first, the relief of the local ratepayer, and second, the prevention of evictions consequent upon the widespread calamity and distress contemplated by the sub-section under discussion. The hon. Member for West Belfast desires to see the money given by way of gift to the purchasers in the distressed districts. The objections to this course are overwhelming. It is clear, in the first place, that if the money were given to the tenants it could not, except very indirectly, go in aid of the ratepayers. In the second place, how is the money to be distributed as a gift? Every tenant purchaser in the distressed area, whether arranged by counties or electoral divisions, would desire to have his share, but how are you going to give this share? Is this share to be estimated according to the means of the tenant, or is it to be a kind of *ad valorem* contribution? If the latter, it is evident that a great deal of this money, contributed by the ratepayers all over Ireland, would be given to people who are not in need of it at all. Under any circumstances, it could not be pretended that the money will be given in proportion to the needs of each case. If, on the other hand, the money were given in proportion to the needs of the tenants, a burden will be thrown upon the Commission which it was impossible that the Commission should successfully discharge. Without any adequate machinery the Commission would have to investigate all the circumstances of every tenant, the exact degree of his difficulty in dealing with the annuity, how far that difficulty is the result of the unexpected calamity, and how far it is due to other causes. If the first alternative is taken—that of the *ad valorem* contribution—by giving the money to the undeserving or non-necessitous, not only will there be waste, but the local taxpayers will be prevented from receiving, in case of default, the relief which the fund is intended to give. They would not be able to pay their instalments, which would have to be paid by the local ratepayers. Therefore, I think that it would be impossible for the House to give this money by way of dole or charity to the annuitypayers of these counties. There are irresistible arguments against an *ad valorem* payment, and also against distribution according to the supposed necessities of the various purchasers. I am of opinion, therefore, that if we are to use the money to the best advantage, first to relieve the ratepayer, and, secondly, to aid the distressed tenants, we should do

it by way of loan to the latter. If distress occurs, it may be that long before the Commissioners would think of disturbing the tenant-purchaser, the local ratepayer might be come upon, because the Land Commission would never think of selling up a holding in a time of distress, because at such a time there would be nobody willing to purchase. Therefore, I do not in the least anticipate that the immediate result of distress will be that a large amount of tenant-purchasers will be sold up; the result will be that the local taxpayer would be come down upon, and would have to forego some of his rates, and the county rates would be proportionately increased. The effect, therefore, of this loan will be to relieve the local ratepayer from temporary pressure. What will the ultimate relief be? Where the annuity has not been paid it will be the duty of the Land Commission to sell the holding as soon as the land market is in such a state as to give any chance of the sale being successful. That could be met by the system of loans, which is contained in the additional sub-section which I have circulated. Under that provision it would be possible for the Land Commission to supplement the Insurance Fund, which the greater mass of the tenants pay, which varies with the price given for the tenancy. In some cases it would equal a whole year's instalment. We should give it primarily to those who had not got the Insurance Fund to meet the pressure. So much for the financial operation of the Bill with regard to the first six months or a year. The temporary liability of the locality has been met out of the Guarantee Fund. Whether there would be a permanent liability on the Guarantee Fund depends upon how far the Purchase Annuities are ultimately met by the purchasers. In the long run, if they can pay, there will be no charge on the local ratepayer; but, if not, then the charge would be met out of this contribution. It will be a gift to the local ratepayer if ultimately the purchaser cannot meet all his obligations; if he can, it will be a loan, first to the locality, and secondly to the tenant-purchaser. The transaction which I have attempted to lay before the Committee is one of extreme difficulty and complexity. If any point is obscure—and it may well be that there is some obscurity, since I have had to draft the scheme since yesterday evening—I should be glad to answer any questions with regard to it.

Amendment proposed,

In page 7, to add at the end of the Clause the following sub-section:—

"Every such order for an advance in any year shall specify the electoral divisions in the county in which the said calamity or distress has occurred to such extent as to require the aid hereinafter mentioned to be given to the persons liable for the payment of purchase annuities, and on application to the Land Commission by any such person in respect of a holding situated in an electoral division so specified, a portion of the advance may, in accordance with regulations made by the Land Commission, be deemed to be lent to him in discharge of the whole or part of any instalment of the purchase annuity specified by the Land Commission, and the annuity shall be increased by such amount and for such time not exceeding five years commencing from such date as the Land Commission direct, in order to repay to the reserve fund the amount so deemed to be lent. The regulations shall, so far as possible, secure that (*a*) no such loan shall be made to the extent to which the instalment can be paid out of the purchaser's insurance money; and that (*b*) if the amount of the advance is insufficient to meet all the loans applied for, such loans shall abate proportionately."—(*Mr. A. J. Balfour.*)

Question proposed, "That those words be there inserted."

(7.18.) MR. SEXTON: I do not understand whether the right hon. Gentleman intends the sub-section to cover every case. Does he mean that one and the same order shall be a provision partly in relief of the rates of the county and partly in relief of the individual purchaser? The question whether the contribution should take the form of a grant or a loan will have, I think, to be determined by circumstances, and the right hon. Gentleman would do very well if he left the option open.

SIR G. CAMPBELL: No doubt this Bill is becoming more unintelligible every day. I think, however, I understand something of the intention of the Chief Secretary, and I wish to ask whether, under this clause, there is to be an investigation into the case of each individual applicant, or whether assistance is to be given *pro ratâ* to all the applicants.

(7.20.) MR. LABOUCHERE: I am already reduced to a condition dangerously approaching idiotcy in endeavouring to understand the Bill, together with the explanations of the right hon. Gentleman the Chief Secretary The

last glimmering of intelligence I have will disappear if I attempt to understand a clause of the complex character just introduced by the Chief Secretary, and which I have not had the opportunity of seeing in print or in writing. I have no doubt the intellects of hon. Members near me are much superior to mine, and that they are able to understand what the clause does. I confess that I am not able to understand, and under these circumstances I decline to take any part in the discussion of this sub-section, or indeed to vote upon it. In fact, I may say that, under the circumstances, I think that at this hour I shall do best by retiring from the House.

MR. T. W. RUSSELL: I think, Mr. Courtney, that if ever a Motion to report Progress was justifiable, such a Motion would be justifiable now. Here is a sub-section which has been thrown upon the House without any notice to anybody. A few copies have been handed about to right hon. Members on the Front Benches, and one or two other Gentlemen. But I must avow here to-night that I am utterly at sea regarding this sub-section, and, although I have great faith in the Irish Secretary and Attorney General, I decline to take any part in the discussion of a clause which I have had no opportunity of considering, and which I confess I do not understand.

(7.25.) MR. A. J. BALFOUR: I quite understand the feelings of my hon. Friend opposite, but I have no choice but to take the course I have taken. I left the House yesterday at half-past 5, which left me very little time to prepare the sub-section, and all I can say is that I have done my best. I had as many copies of the Amendment prepared as I could, and if I had been able to give my hon. Friend one no doubt he would have been able to discuss it, though I confess, as it reads, the clause is not remarkable for its clearness and its obviousness. I have no wish to rush the sub-section through the House, and if anybody really thinks they do not know enough about it to discuss it in a reasonable spirit I would suggest that it should be deferred to the Report. ["No, no!"] At all events, that is the course I am prepared to take if hon. Members desire it. I am in the hands of the Committee. I, at all events, do more or less understand my own Amendment, and it s only in deference to the views of those who say they cannot discuss it that I make the suggestion. I wish it to be understood, however, that in bringing the Amendment forward in this way I had no choice in the matter, seeing that I did not leave the House last night until half-past 5.

MR. KNOX: There is one point which makes me think the Amendment now proposed inconsistent with the words which already stand part of the Bill. I understand it is intended by the Amendment to provide that the payments are to be paid back to the tenant by the Reserve Fund. If the right hon. Gentleman will look at the end of Sub-section 5 he will find that the money is to be paid back out of the Reserve Fund, and also from an entirely different source. That is to say, the money is to go out of the Reserve Fund into the pockets of the tenants, and is to come back to the Reserve Fund out of the pockets of the tenants, while the same money is also to come back to the Reserve Fund from the Exchequer contribution year by year. The whole sub-section proceeds on the assumption that a calamity has fallen on the district. I think it would be better to leave it to the discretion of the Commission and not to lay down any hard and fast rules limiting their action.

(7.31.) MR. SEXTON: I do not say it may not be best in nine cases out of ten to give it by way of loan, but in many cases it may be manifestly best to give it as a grant. I admit that a grant is a thing to be slowly approached, and all I ask is that you should reserve the option to make a grant.

MR. A. J. BALFOUR: I have reluctantly come to the conclusion that grants are impossible. If the duty were thrown upon the Commissioners of deciding whether the obligation of purchasers should be relieved by way of loan or by way of grant, their work would be increased to an intolerable extent. In fact, I doubt whether they could get through the work that would be thrown upon them, for if the right of asking for the money as a gift were conceded, everybody would probably exercise it. If another course were adopted, and if the money were distributed as a bonus amongst all the purchasers in particular districts in proportion to the annuities payable, aid would inevitably be given to many who did not really need it. There

would be no security that the money would be distributed in proportion to the needs of those who received it. I am utterly unable to see my way out of the dilemma, and I shall be glad to consider any suggestion. I am convinced that to proceed by way of gift, and not of loan, would either end in a waste of money or in throwing a duty upon the Land Commission, which they would be absolutely unable to perform.

MR. J. MORLEY: The right hon. Gentleman lays great stress upon the difficulty of the Commissioners inquiring into the needs of the purchasers. Sub-section 4 entirely concerns action taken by the Land Commission in inquiring into individual cases. This is one of the objections I have always felt to this clause. How is the Land Commission to satisfy itself that the claim is a good one, and that the man has a title to relief? I do not see how the argument of the right hon. Gentleman is not just as applicable to Sub-section 4.

(7.35.) MR. A. J. BALFOUR: I think the right hon. Gentleman will see at once the difference between the two cases. I quite admit that in certain cases it will be said, "Give me some of my insurance." But the Insurance Fund is the man's own. You are not dealing with the money of the State or the money of the Irish ratepayers. You are taking the man's own money; and the result of doing that is that the man will have to pay a higher annuity for a certain number of years. The consequence of his action is felt by the increase of the annuity he will have to pay. If we make a gift from the Reserve Fund, no evil consequence can happen to the man; he will not be the person to suffer. The losers will be the ratepayers over the whole of Ireland; and I think, in their interest, we must see the Land Commissioners are bound by such general but absolute rules as would on the one hand prevent them from the necessity of having minute examination thrown upon them, and on the other hand will make every individual think twice before he asks for a loan, the consequence of which would be that his annuity would be increased. I think, for these reasons, my suggestion is the best.

(7.41.) MR. M. HEALY (Cork): This is the third time the Government have changed their mind on this question. Originally the Bill contemplated neither gift nor loan. When we finished our discussion last night the Chief Secretary had made up his mind that gift was the only possible plan, and he pledged himself in the plainest language to the principle of gift. The night's consideration—and I do not at all blame him, because this is a very difficult question—has convinced him that neither the original plan nor his plan of last night should be adopted, but that the principle which should be adopted is that of loan. I think there is a great deal to be said for both views of the matter, and I do not say that the Chief Secretary has come to a wrong conclusion. But I do not see the force of the argument that the burden which the principle of gift—if there was to be a discriminating gift—would throw on the Land Commission would be intolerable. I understand the right hon. Gentleman to put this dilemma: Either your gift will be an indiscriminate gift, or else you will place on the shoulders of the Land Commission the duty of discriminating, and that is a duty they would be incompetent to discharge. The right hon. Gentleman the Member for Newcastle has replied, "Yes, but in this very section you have placed a duty of an exactly analogous character on the shoulders of the Land Commission." Not merely in Sub-section 4 of this clause, but also in Sub-section 5, that very duty is cast upon the Land Commission. It is provided that the deficiency may be met in the way proposed "when the Land Commissioners have satisfied themselves that the deficiency arises in consequence of exceptional agricultural distress in the district." That assumes that the Land Commissioners shall, during a certain period after the annuities become due, have endeavoured to collect the annuities. It is only as regards the balance uncollected that the sub-section will come to their aid. Therefore, the sub-section casts on the Land Commissioners the burden of discriminating between the tenant purchaser who is unable to pay, and the tenant purchaser who is able to pay. But the right hon. Gentleman's own Amendment casts a still more intolerable duty on the Land Commissioners. That Amendment compels the Commissioners to inquire into every individual case—to inquire not merely whether any individual tenant

purchaser is unable to pay, but, if so, to what extent. The Amendment contemplates that the Land Commissioners shall only advance the balance of the annuities a man is unable to pay. However, I quite admit that the Amendment is open to the construction the right hon. Gentleman puts upon it, and I will, therefore, pass from that topic by simply drawing the right hon. Gentleman's attention to the fact that the wording of the Amendment will require some consideration. I now want to ask the Attorney General for an explanation of some passages in the Amendment which are not clear to me. What is the meaning of the last part of the sub-section, beginning "(b)," namely—

"If the amount of the advance is insufficient to meet all the loans applied for, such loans shall abate proportionately?"

The advance is to come from the Reserve Fund of the county. If the first part of the section has any meaning it is absolutely impossible that there should be such a thing as an insufficiency in the amount of the advance. There cannot be more loans than the amount of the advance.

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): There may be more loans applied for.

MR. M. HEALY: Quite so; but a loan can only be applied for when the advance has first been made. I would also, on a technical point, invite attention to the words at the beginning of the clause—

"Every such order for advance in any year shall specify the electoral divisions in the county."

There is no such thing as an electoral division of a county. The words should be—

"The electoral division of any Union in a county."

I acknowledge that the whole subject is a very difficult one, and that the right hon. Gentleman has brought up these words in response to the desire of hon. Members. But now we have the words before us I hope we shall not let them go, and I certainly shall not be at all disposed to adopt the suggestion to postpone the sub-section until the Report stage. This will be a very good stock to graft Amendments on, and we shall have an opportunity of considering the sub-section, as amended, between this and Report.

(7.55.) MR. CHANCE: When there is an Insurance Fund the default is to come out of it, and the question arises: How is it to be repaid? I imagine that it would be repaid by filling up the Insurance Fund again, but the annuity with which you would fill it up must commence from the very moment, and therefore the Commissioners may postpone the commencement of the payments.

MR. A. J. BALFOUR: We did amend Sub-section 4, so as to defer the time of the re-filling of the Insurance Fund.

MR. SEXTON: Is it intended that an order under this section shall have a dual operation at the same time, and in the same county?

MR. A. J. BALFOUR: I think the hon. Gentleman will see that in every case the Land Commission must exercise discretion as to the character of the proceedings.

MR. SEXTON: Are there to be two orders at the same time—on to save the rates, another for the occupiers?

(8.0.) MR. A. J. BALFOUR: I take it there will be one order. I am not speaking of the drafting, but that is the intention—one order, one administrative action.

(8.1.) MR. SHAW LEFEVRE: If there is any difficulty in understanding the details of the clause that is not due to any want of lucidity in the explanation of the Chief Secretary. I understand the main issue which has arisen between hon. Members and the Government is whether the money shall be a loan or a grant, and I am bound to say, after listening to the right hon. Gentleman, I am disposed to agree with the view he has enunciated. It does appear to me there would be very great difficulty on the part of the Land Commission, or any other body who may be entrusted with the duty under the Bill, in distributing the money in the shape of small gifts to the tenants who find themselves in difficulties, and on the whole I think the Chief Secretary has adopted the wiser course. After all, the system will have a limited application, for, as I understand the clause, it will only come into effect in the event of the whole of the tenants' purchase insurance money being exhausted. This can only occur

in extremely exceptional cases; but I think in the form of a loan, even of the optional character suggested, it would give rise to applications whenever there is distress at all, and, therefore, I think the Government have done wisely. Should there be a widespread calamity hereafter, such as a succession of very bad seasons so that some tenant purchasers are "thrown on their beam ends," so to speak, and are totally unable to pay there would be a case for a special application to Parliament, and I doubt not Parliament would deal fairly with the application.

Several verbal Amendments to the Amendment agreed to.

Amendment proposed, to the proposed Amendment, "to omit the words 'with interest at the prescribed rate.'"—(*Mr. Sexton.*)

(8.8.) MR. A. J. BALFOUR: I am not at all sure that these words are not necessary. If there is not interest charged there will be a deficiency from which somebody must suffer. There will be a hole to be filled up. The loss must fall upon the general ratepayers. I think that here the words ought to be retained.

MR. SEXTON: I do not see that the ratepayers are particularly concerned with what is paid into the Reserve Fund. The position is changed by your term of 49 years being broken up.

MR. A. J. BALFOUR: If you cut out the interest the result will be the Reserve Fund will not be filled to the extent it otherwise would be, or not so soon. The amount of £200,000 provided under the Bill must be made up, and a deficiency will have to be met out of the grant to labourers' cottages or by contributions from the cess payers. We have to face the fact that the amount of the guarantee must be made up. If the hon. Member prefers that this should fall upon the cess payers I make no strong objection.

MR. SEXTON: The capital of the Reserve Fund will be filled up, but the income of the Reserve Fund will be interrupted. It will be filled up to £200,000, for whatever sum is taken out will be returned.

MR. A. J. BALFOUR: I do not think the hon. Member is quite right in his view. Under the Bill the Reserve Fund must be £200,000, or in the way of being made up to that if depleted. The process of filling up must begin and the interest must come from the borrower or it must fall on the cess payers. It is not considerable, and if the hon. Member insists on his view I do not object.

MR. SEXTON: I should prefer it.

Amendment agreed to.

Question proposed, "That the Amendment, as amended, be agreed to."

MR. SHAW LEFEVRE: I would suggest that the loans should be limited to small holdings, upon which it appears to me distress will really arise.

Amendment proposed,

At the end of the proposed Amendment to add, "Provided also that such loans shall be granted only to purchasers whose holdings are of the value of £20 or under."—(*Mr. Shaw-Lefevre.*)

(8.20.) MR. MACARTNEY (Antrim, S.): I hope my right hon. Friend will not accept the Amendment. If there is agricultural distress, it falls upon no class of tenants with more severity than upon the class immediately above the limit proposed by the right hon. Gentleman's Amendment.

MR. CHANCE: I hope the Amendment will not be accepted. It would be a very hard thing to say, in a period of exceptional distress, that a man whose valuation is £19 shall have relief and the man whose valuation turns £20 shall not. It must be recollected that in many cases the money will be paid out of the Insurance Fund to which the tenant has contributed, and it would be a strong thing to say that the tenant shall be deprived of the benefit of this fund and evicted while the State has money in hand. The larger tenants work their farms on what I may call commercial principles, while the small tenants do not, and it may even happen that the small tenants benefit by the calamity which injures the larger tenants. The small tenant relies upon his harvest wages; and if the harvest is prolonged in a bad season, he earns more wages, the loss on his own crops being comparatively small. He actually may be better off from the longer duration of his harvest wages than he would be in a normal year. I hope the right hon. Gentleman will not press the Amendment. To adopt it would give rise to most irritating distinctions.

Amendment, by leave, withdrawn.

Amendment, as amended, agreed to.

Question proposed, "That Clause 5, as amended, stand part of the Bill."

(8.25.) MR. CONYBEARE: I think it is desirable to give the clause a few minutes' consideration before we part with it. We have, I think, reason to complain that in a clause of this complexity, a clause which has been described by the right hon. Gentleman the Member for Newcastle as detestable in its general scope, and which has been contested line by line by the Irish Representatives, we really are not in a position to consider the scope of the cause in its amended form. I am sure there are very few Members who can grasp the full significance of the clause after the alterations made in complicated details, and I would suggest that in relation to future clauses we should have before us, following the plan adopted in Grand Committee, day by day a reprint of the clause in amended form, even though the preceding discussion may have broken off in the middle of a sentence. Without such aid it has been almost impossible to follow the constant juggle of the Government to avoid the difficulties that have arisen at every point because of the refusal to concede any local control in the operations contemplated under the Bill. The object which should be kept in view in such a measure is to facilitate the acquisition of their holdings by tenants with the least possible risk to the British people, who advance the money. Now, it has been shown during these discussions that the clause puts an obstacle in the way of the poorer tenants. The class of tenants we have particularly to consider are those in the most poverty-stricken part of the country, and it seems to me obvious that if you prevent them from obtaining the advantage of this Act, you will not get rid of the social sore, but will be encouraging discontent and agitation. You will, at any rate, not be affording relief where it is most needed. While a great many people are willing to sacrifice something, considering all the circumstances of the case, for the purpose of really doing something to permanently establish peace in Ireland, they are not disposed to lend themselves to the passing of a measure containing clauses which will prevent the full operation of the measure in those cases where it is most required. That is the principal objection which can be made to the clause—that it offers no inducement to the small tenants to avail themselves of the Act, but places a great, in fact an insuperable, obstacle in their way. This clause offers inducement to the tenants to make the most of bad seasons, and to ask for relief when really they are not entitled to it, and, therefore, the whole policy of the clause is wrong, in so far as it does not take into account the fact that these unfortunate people are at the present time in a constant state of semi-starvation. Owing to the fact that they are unable—as has been many times pointed out—to make any rent out of their holdings, it is rather ridiculous to require that they should find a sort of Insurance Fund to be applied to their well-being in case of exceptional distress. I suppose the districts where the worst distress is likely to occur will be the congested districts. The districts to which this relief clause will, I presume, be most likely to apply are those districts where, according to the best authorities, the land itself can never produce the rent—where if any rent is to be got it comes not out of what the tenants can raise from the soil, but out of funds that come to them from their own labour in this country or in Scotland, or from the labour of their children in other countries, or in other parts of Ireland. That being the recognised condition of the poorest districts of Ireland, it seems to me an absurdity to require that these people should pay any rent at all. The mountain counties and districts in Ireland outside the congested districts dealt with in the Bill contain a population who are practically in the same condition owing to the poverty of the soil, though the population may not be dense enough to be called congested. Now, if it be true that these people cannot make the rent out of their holdings, what is the use of enacting a measure of this kind to enable them to purchase their holdings at any price that the landlord may fix and may exact—aided by all the machinery of the Coercion Act? What is the use of asking them, in the first place, to pay what would be an enormously exaggerated price for their holdings; and, in the second place, to bind themselves to pay these annuities to the Government, extending over a considerable number of years; and, in the third place, meet

these hard payments for the first five years—or whatever the term may be—payments larger than others will be paying who are under happier circumstances? It seems to me that to require these poverty-stricken tenants to pay this additional price for the first five years is to place the burden on the weakest shoulders. I cannot see the logic or reasonableness of such a proposal as that, and I feel confident that, so far as this poorest class of tenants are concerned, the clause is likely to break down. It is said that we must have security, but I maintain that the security of the Bill is not worth anything at all, least of all the security contained in this clause. I hold that it is not wise to obstinately persist in the retention of provisions which threaten great difficulties in the future. I still think that Sub-section 3 is unfortunate, and intrudes what, on fair consideration on the whole, must be characterised as needless complication in an already too complicated measure, and which is likely to do more harm than good. (8.45.)

*(9.20.) MR. MORTON (Peterborough): I should like to say why I vote against this clause altogether. It has a marginal note that it is in aid of exceptional agricultural calamity to be met from the purchasers' Insurance Fund. That is, the tenant purchasers are to be asked to pay during the first five years 80 per cent. instead of 68 per cent., which would be the proper amount in the case of those buying at 17 years' purchase, which is said to be the average price of this class of holding at the present moment. If there is any specially bad clause in the Bill it is this, which compels the very class of holders who should be most leniently dealt with to pay an extra charge during the first five years, and it is well-known to borrowers that the first years of repayment are the hardest to bear and the years in which leniency ought to be shown. It is hard and wrong that the Government of this country and Parliament should call upon these poor tenants to pay more than a fair proportion in the first five years. As far as I can understand the clause, you are actually making the poorer class of tenants pay more than the richer. It is well-known that the holdings purchased by the richer class are worth more, and that the holdings of the poorer class have hardly any rental value whatever. It appears to me that if you want to make your security better, the extra charge should be made upon the richer class of borrowers and not upon the poorer. I think Sub-section 3 of the clause is about as bad a proposal as could be made. It is likely to give land an artificial value, thus benefitting the landlords and not the tenants—a circumstance which leads me to believe that I was right in the early stages of this Bill, when I said it was a landlords' and not a tenants' Bill. The power which it gives to the Lord Lieutenant to accelerate the repayment or to prolong it is one which ought not to be conferred upon him or anyone else. Not having the clause before us, with all its alterations, it is difficult to discuss it with precision. To lend money in the manner of those money lenders who exact 40 per cent. is unworthy of the British Government; it is utterly wrong, and ought not, in my mind, for a moment to be allowed by this Committee. Sub-clause 4 has been so altered that I do not profess to understand it, and I shall, therefore, not detain the Committee by speaking upon it. We shall, of course, at another time have an opportunity of considering the effect of the Amendments, and whether or not they are in favour of the tenant, because I admit that though I object to this Bill altogether and have taken many opportunities of voting against it, I am anxious to see it amended in the interest of the tenant, so that he may have a fair opportunity of repaying the money. As to Sub-section 5, I have objected to this charge being made on the Reserve Fund, and the Committee will remember that I brought forward an Amendment, but did not press it. I have not been able to gather what is to be done with the landlord's guarantee deposit beyond this: that it is to be kept for the benefit of the landlord, and he is to have interest allowed upon it, but that it is not to be touched in any case unless there is a final sale. It seems to me that the one thing which the Government profess to do in this Bill to protect the British taxpayer does not properly protect him, except at the risk of the Irish ratepayer, whom I do not wish to see interfered with. It appears to me that they have done everything they can to protect the landlord's guarantee deposit at the expense of every other fund. Now, it

does occur to me that if the tenant has been induced to pay too much for his holding, that, in the first place, the landlord's guarantee deposit should be dealt with, and not this Reserve Fund, as in Sub-section 5. It is always understood as a matter of business, when there are second mortgages, the second mortgagee suffers before anybody else. In this case he is so amply protected that one would think it was done on purpose to make the landlord's deposit secure, and that, after all, the deposit of one-fifth, or 20 per cent., is a sort of sham, intended to deceive the British taxpayer into believing that there is some sort of security for him, whereas I do not believe that it properly protects him. On all these grounds I shall vote against this clause altogether, because I believe it a bad one, not at all necessary in a business of this sort, in the interests of both the lender and the borrower, and one that appears to me to put a great deal too much power into the hands of the Lord Lieutenant and the Land Commission especially, in dealing with those who pay less than 20 years' purchase. I think that even if this Bill is to pass, it would be much better that it should pass with this clause omitted.

(9.38.) MR. SEXTON: I wish to address a word or two to the Attorney General for Ireland in reference to this clause. It appears to me to be five clauses, and not one. We are under the painful necessity of making ourselves acquainted with the matter of the clause; but after the Bill becomes a Statute, anyone who has occasion to examine the clause will never learn the effect of it, or the object of it, by examining the title of the provision from the marginal notes. It is described as "Aid in case of exceptional agricultural calamity from purchasers' insurance Reserve Fund." You would imagine by that a Purchase Fund had been previously constituted. The first part of the clause constitutes an Insurance Fund; the second provides that in certain cases the fund shall be reduced; the third provides that the Lord Lieutenant may continue the imposition of the insurance beyond the five years; the fourth refers to the question of the application of the insurance money in case of default; and the fifth refers to a different subject, having nothing to do with the preceding part of the clause—the circumstances under which the Reserve Fund shall be applied for the relief of counties or the relief of purchasers in certain cases therein defined. I submit that hereafter it would be inconvenient for anyone anxious to ascertain the meaning of this clause to have to go through these five sections. I think it would be better to divide the clause before we come to the Report stage. I deeply and sincerely regret the insertion of this clause in the Bill. I am convinced, and was convinced before these Debates began, and I am now more firmly convinced than I was at the beginning, that the real object of the clause is not so much to secure insurance against a season of need as to conceal the true price of land in Ireland, and to render it difficult to know at any time what number of years' purchase an estate has been sold at—to make it appear as if all estates had been sold at 20 years' purchase, they having all to pay annuities at that rate, which would make it difficult at any time to determine by the course of past transactions what was the real value of the land. I do not say that this was a sinister design on the part of the Government; but, at any rate, they are open to that imputation, and I very much regret that they did not take steps to protect themselves from such imputation. I admit the propriety and wisdom of an Insurance Fund under certain conditions, namely, that the principle should be applied all round, because if the State is the security in one case it should be in another, and the exactions should be equally imposed upon all tenants in proportion to the annuity and in proportion to the need. Now, has it been applied all round? Why, tenants who buy at 20 years and upwards are altogether exempted from insurance. Why should they be? Is it because a man pays for his farm 20 years' purchase that the bargain is manifestly such an easy one that he requires no security? I think the presumption lies in the opposite direction. In the clause, assuming that we provide security to the State, you let off the very class of tenants in regard to whom the security is most required. The tenants will be numerous, if not the majority, in Ireland who buy at less than 20 years' purchase, and they will be oppressed by the opera-

tion of this insurance. The man who buys at 15 years' purchase will have to pay to the Insurance Fund at the rate of two years of his annuity. The man who buys at 10 years' purchase will have to provide an Insurance Fund amounting to five years of the annuity, payable to the State. That is not fitted to the need of the occasion, and not just. It is excessive to the point of being an actual oppression on the tenant. I therefore complain most strenuously of this insurance clause. I maintain that it is not put forward in good faith, that it is not comprehensive, and that it is not just. It leaves out tenants in regard to whom security is as much required as in the case of other tenants. It does not act equally as between tenant and tenant. If the Government had accepted a proposal I made, and had been willing, as equity dictates, to make this insurance adequate for its object, and of equal incidence all round by a levy of 10 per cent. for five years, or even for 10, they would have provided themselves with a fund containing an amount equal to one year's annuity. The tenant would have been willing to supplement that fund in many cases, and to have provided a larger amount. The sense of justice of the people will revolt against this. This clause will be the most formidable impediment to the operation of the Act, and hon. Members from Ireland who sit opposite know that no other clause in the Bill has been the subject of so much adverse criticism. If the tenants are prevented by it from purchasing, the result will be disastrous to that class of landlords who are in urgent need of disposing of their estates. The clause was bad enough as it stood in the Bill of last year; but some evil influence has been dominant in official circles, and this influence has prevailed so far as to induce the Government to propose Sub-section 3. The hon. Member for South Tyrone has not spoken against the sub-section, but as Englishmen always know what is good for Ireland better than we do, and as we Irishmen have only been born there and lived there all our lives, and know nothing about it, they have persisted in putting in this clause. The effect of the insertion of Sub-section 3 is to make 18½ per cent. the maximum amount of relief which can be received by a tenant. The Lord Lieutenant can, for any number of years, prevent any tenant from having a greater relief. A man may be obliged to go on paying at such a rate that he will have paid back his purchase, not in 49 years, but in 15, and when we ventured to point this out yesterday the Chief Secretary had no reply to make, and, having no reply to make, he moved the Closure; and I must say it is an extremely convenient thing when you have no arguments in the case to get up at the Table and mumble, "That the Question be now put." The Chief Secretary is a gentleman of great intellectual pride, and when he finds he has no argument against an Amendment he gets up and moves the Closure. The Lord Lieutenant may take care that he will not apply this 1st sub-section so as practically to cancel the bargain that this Bill intends shall be made between the landlord and tenant and the State. I will make no observation on the last sub-section. It has been recently this evening the subject of debate, and, therefore, I will not return to it; but as to the clause itself, I should have assented to it, and perhaps cordially have accepted it, if it had been founded on any reasonable and equitable basis. As it is inadequate, partial, and in many cases oppressive, I protest against it, and shall vote against it.

(9.50.) COLONEL WARING (Down, N.): With a good deal of this clause I cordially agree, but there are portions which I think ought not to be made part of the measure without attention being called to the dangers which lie hidden under them. With respect to the remarks of the hon. Member who has just sat down, I think he has assumed a little too much. In the first place he assumed that we had come to a common mind as regards dual ownership. I do not think so. It always seemed to me an extraordinary thing that the Ulster system, which for 300 years has been held up as a model for the whole country, should now be sneered at. The hon. Member said the sound and honest opinion of the Irish tenants would be in favour of paying their just debts. In that I agree with him. But, unfortunately, the Irish tenant is not left to form a sound and honest opinion without guidance, and therefore we have not only to look at his opinion, but at what it may suit his advisers to recommend to him. Under these circumstances, I think it is a very

serious and doubtful question whether this provision for exceptional agricultural calamity does not open the door to a state of affairs which will be found extremely disastrous. A great deal has been said in this House with regard to the security of the British taxpayer against any loss upon an advance made by the State, and a strong point has been made of the punctuality with which instalments under previous Acts have been paid. And what was the reason? It was because the healthy and honest opinion of the Irish tenant was that it was highly desirable to pay what he knew would be determinedly exacted. Many a sneer has been cast across the House at Irish landlords, and one of them is that they themselves have brought this state of affairs about, not always by being too severe, but frequently, because they have been too lax and lenient. ["Oh, oh!"] Yes; it has been a common sneer that the landlords have been careless of their business. Well, it appears to me that you are laying down a rule by which the State will fall into the very errors and mistakes which the landlords are accused of having committed, and that you will have to deal with artificial and imaginary difficulties, and with calamities which are very easily invented. We have had cases in point during the last four years. I do not know how many disastrous seasons I have heard spoken of by Gentlemen opposite during the last four years, and yet those who have to do with agriculture in Ireland know that the last four seasons have been, I might almost say, exceptionally good ones. I have no doubt the Local Government Board has the opportunity through its officers of ascertaining, with a considerable amount of accuracy, what is the real state of distress in the country. I am not sure that the Land Commission will be equally able to do so; but I am certain that if any real distress, such as deserved the attention of the Legislature, existed, it would be readily listened to in this House. I really think the provisions of this clause are an invitation to the Irish tenant, or his advisers, whenever it suits their political convenience, to set up a cry of distress. I am aware that in my province that will not be so. I fully believe that in Ulster there will be no attempt to make false representations. I have no objection to the earlier part of the clause. I think the 80 per cent. provision is, on the whole, a beneficial one, and I do not see myself in the provision which follows it anything which affects the tenant deleteriously. If he does pay a little more in the earlier years of his annuity, he is only accumulating for himself a Reserve Fund against a rainy day, and he is certain to get the benefit of it in the shortening of the period of re-payment. I should not think of dividing against the clause, but I think I am bound to point out the serious difficulty that may arise in the future from the provision respecting agricultural calamities and to warn Gentlemen on the Treasury Bench that they will find the clause a very difficult one to administer on some future occasion.

(9.58.) MR. T. W. RUSSELL: I wish to remind the Committee that I supported the principle of an Insurance Fund. I have, however, strong objections to the 3rd sub-section. I consider it a dangerous sub-section, and one that will very probably retard the operation of the Bill. But to-night something has been added to the clause which I do not profess to understand; and, inasmuch as a Member in my position may have to account for every vote he gives on this Bill, I am not going to vote for a thing I do not understand. Therefore, because I do not like the 3rd sub section, and I do not understand the Chief Secretary's new sub-section, I shall vote against the whole clause.

(10.0.) MR. M. J. KENNY: I rise for the purpose of opposing this clause, which I believe is more calculated than any other part of the Bill to defeat the objects of land purchase. I have no objection to the principle of an Insurance Fund, but in this case we have a system of insurance provided where it may not be required, and just at the point where it is likely to be required it is abandoned. Tenants whose re-payments do not extend over 20 years have to insure, but in the case of tenants whose re-payments extend over more than 20 years the system of insurance ceases altogether, and the State has to take its chance of getting paid. This is a perfectly grotesque system, and it shows that the real object of the clause is not insurance, but the maintenance of a fictitious value of land in Ireland. You

will have side by side those who have bought under the Ashbourne Act and those who buy under this Bill, and the latter, in consequence of the artificial system you have adopted, will be paying an excessive price. Tenants will be suspicious of the effect of the Act, and I believe the consequence of passing this clause will be to a great extent to deter tenants from taking advantage of what would otherwise be a perfectly fair and proper measure. The clause will press most hardly on the poorest class of tenants. Take the case of a tenant who buys at 10 years' purchase, and pays instalments of £2, and, in addition, the rates and taxes. If he had purchased under the Ashbourne Act he would have had to pay annually £2 15s. at the outside, but under this Bill he will have to pay, in addition to his instalments, an Insurance Fund which will bring his annual payments up to £4 15s. The provision will have the effect of ruining a great many of those who buy, and of withholding the benefits of the Act from the class who most require it. I believe if the right hon. Gentleman had only the fair interests of the tenant-farmers of Ireland at heart he would never have inserted a clause of this kind.

(10.7.) COLONEL NOLAN (Galway, N.): When this clause was introduced I said I should vote against it, although I would vote for every other clause in the Bill. I think it will knock off a third of the value of the Act to the small tenants. It will have the effect of preventing small tenants purchasing, and of throwing the benefits of the measure into the hands of the largest tenants. It might have been amended in two or three directions. The amount of insurance might have been reduced, or the action of the clause might have been confined to a smaller number, but none of our Amendments were accepted by the Chief Secretary, who showed himself perfectly inflexible with regard to this section. I do not say that the Bill will not be a good one on the whole, but certainly think this clause will be a considerable drawback. I hope, however, the clause may be swept away in some future Parliament. I quite agree with the hon. Member for South Tyrone (Mr. T. W. Russell) that if it was not impossible it was very difficult to understand the Amendment introduced to-night by the right hon. Gentleman the Chief Secretary. I do not suppose half a dozen gentlemen would say they understood that Amendment, and I doubt whether, if they were put in different rooms, they would give the same account of its action. I am quite sure that when it comes before the Judges they will place upon it an interpretation different from that now put on it. This clause will render the Bill much less favourable to the small tenants for the next five years than it otherwise would be, indeed many small tenants will be deterred from purchasing under the Act. I shall go into the Lobby against the clause, and very probably against no other.

*(10.12.) MR. WEBB (Waterford, W.): I deem it my duty to record my protest against this clause. I was always at a loss to understand why this strange insurance system was introduced at all. It is absurd that the larger the price paid for the land the less insurance should be paid; but we all know the Chief Secretary does not want there to be too great a difference between the rents paid for land under the old system and the annual instalments under this Bill. I think there was something rather disingenuous in the introduction of such a clause in the Bill. There has been a remarkable unanimity on the part of Irish Members against the clause. When we are not united, we are reminded of the fact, and when we are united our appeals are scorned; I trust hon. Gentlemen on the opposite Benches, who do not exactly agree with our views of Irish politics, will take a lesson from these tactics. The details of this clause have been very fully discussed. The clause generally is an instance of the general confusion which is being introduced into all legislation for Ireland. You are not willing to trust us, and you desire to govern us in every matter according to your own desires. The confusion which this clause involves will have a very unfortunate effect on the Act. It will deter men from making use of the Act, and it will add to the legal burdens under which the country suffers. The cost of applying these Acts is enormous. If English Members were aware of the almost intolerable legal burdens which the Irish people have to bear they would have more sympathy with us, and wish

for a radical change. We have been accused of unduly delaying this legislation. I beseech the people of England to consider the position in which we are placed. If this were an Act for England little discussion would be necessary, because here it is always possible to amend an Act, besides which, an Act is here administered by representative assemblies. In Ireland, however, Acts are administered by agencies out of sympathy with the people, and, therefore, it is necessary for every word and phrase to be duly considered before it is adopted. In conclusion, I hope the Government will furnish us day by day with the subsections as amended. If this were done it would be a great help to us in our deliberations.

*(10.20.) MR. SMITH-BARRY (Hunts, S.): There is much in this clause which is very objectionable. It is a dangerous thing to point out to Irish tenants that there is a means of escaping from the payment of their obligations. Under the Ashbourne Acts the instalments have been regularly paid, because the tenants know that if they are not paid they will have to suffer the consequences. Under this Bill the purchaser will readily find out that there is some exceptional reason for not paying. I hope the Government or the Commission will be extremely careful to see that the payments are made regularly, and that claims for exceptional treatment will be inquired into very strictly, and generally disallowed.

(10.23.) MR. CHANCE: If the hon. Gentleman has followed the proceedings of the Committee he must know that the only liabilities affected by this clause are liabilities arising in times of exceptional distress in a whole locality, or some exceptional calamity happening to an individual tenant. I suppose the hon. Member would prefer that tenants should be evicted right out in times of exceptional calamity rather than that they should be relieved. What is the tempting door open to the tenant? The tenant has to satisfy the Treasury, the Lord Lieutenant, the Land Commission and the Local Government Board; and the Chief Secretary, still fearing that the door would be so tempting that wholesale repudiation would follow, by the last Amendment clapped on the House of Lords. The tenant will not be so foolish as to think that any chance of escape is afforded by the machinery of the clause. My main objection to the clause is that it will operate to prevent the sale of the poorer class of land. Secondly, the clause will give the benefit of money lent at a low rate of interest for longer periods to well-to-do tenants rather than to the poorer tenants who most need aid. In the cases of the richer tenants the insurance clause will have no operation, while the poorer tenants, buying at 10 years' purchase, will have to repay one-fourth of their advances within the first five years. This provision will do much to break down the poor man before he is fairly on his legs. The third objection to the clause is that the number of years within which a loan will have to be repaid will depend upon the caprice of the Lord Lieutenant, and the result will be that if he forms the idea that land purchase is going on too rapidly in any given county he can stop it in the case of the poorer tenants, while his orders will have no effect upon the richer tenants. So you have the Lord Lieutenant in his attempt to stop or delay land purchase in any given county not affecting purchase by the richer tenants, although preventing or largely diminishing purchase by the poorer tenants. Now that, I think, is a disastrous and an absolutely silly thing to do. My last observation is this. I admit that under the Ashbourne Act there is one great fault to be deplored. If you have, as many tenants have in England, a considerate landlord, he will in periods of distress or calamity very largely aid the tenant in coming round out of his difficulties. But under the Ashbourne Act, once a tenant purchased, the State became his creditor, and the State had no option but to draw the annuity every year. The State had no power to consider any question of exceptional calamity or distress, whether affecting an individual tenant or a whole district. I fully admit this was a great blot on the Ashbourne system, and that some more elasticity is required. Now, how is that elasticity to be obtained? I do not understand why the Chief Secretary deliberately departed from the system which, under the Act of 1887, has given elasticity in certain cases—in those cases where annuities have been recapitalised, and the loans spread out again. There is nothing to prevent

such an elasticity, which is so much desired, being permitted to the Land Commission here — the recapitalising of the loan and letting it run over a further period of 49 years or less. The result would be, that the poorer tenant would get a longer use of the money at a low rate, and he would get a greater benefit. But the Chief Secretary has not chosen to adopt that, and with perverted ingenuity he has insisted on forcing into the Bill a clause which must act injuriously to the poorer tenant—which does not affect the richer tenant at all, and leaves the landlord with a number of poor holdings on his hands out of which it would be absolutely impossible for him to collect any economic rent.

(10.35.) The Committee divided:—Ayes 148; Noes 85.—(Div. List, No. 199.)

Clause 6.

(10.45.) MR. T. M. HEALY: I do not know whether the Government intend to persist with this sub-section. I rather imagine they do not. If I have any intimation to that effect I will at once sit down, but if it is their intention to persist with it I can assure the right hon. Gentleman that it will raise very serious Debate. In the first place, let me point out the unscientific character of the draftsmanship employed. Under this Bill you can sell a house in Merrion Square, and as arbitrator of the Draper's Company I have sold houses to which a rood of ground has not been attached. I have sold public houses for the Worshipful Company of Drapers, and that is not prohibited in the least degree. You can still buy and sell public houses under this Bill. For some extraordinary reason the Government propose to interfere with one of the most valuable industries prevailing in Ireland, *i.e.*, dairy farming and butter making, and the mixed farming of Meath and West Meath by their extraordinary exclusion. Why public houses are to be included, and transactions in public houses are to be possible under such a Bill, while a special sub-section is driven through the heart of it, which will practically have the effect of excluding all the holdings of Clare, Meath, and West Meath, I fail entirely to understand. This sub-section goes very far in extension of what was done in the Land Acts of 1870 and 1881. The historical aspect of the question shows that the idea against grazing first found a place in land purchase Legislation in 1870. The feeling then was directed against big graziers, Scotch gentlemen who, turning out the tenants, occupied enormous tracts of country, erected a few herd houses, and commenced business with a few thousand sheep and bullocks and a cask of Scotch whisky. Then began the horror of the Irish people of grazing farmers. Mr. Allan Pollock was the King of Scotch graziers, but when his funeral passed through Ballinasloe, in 1880, not a blind was drawn in token of respect, and two years afterwards his son was bankrupt. There was a horror of big grazing farms, but even the Acts of 1870 and 1881 did not exclude grazing farms under £50 valuation. But this beneficent Tory Government have brought in a Bill excluding grass farms above £10 valuation, so that if I had three acres and a cow, I should be excluded from this Bill. What are grass farms? Nothing more strikingly exemplifies the position than the case "O'Brien *v.* White," the famous case in relation to the Craglands of Burren—land so rocky that it could only be cultivated by the spade. Because this land could only be used for pasture, it was held excluded from the Act by an extraordinary decision. Because a man's land is rocky, he is excluded from the opportunity of having a fair rent fixed! But I need not dwell upon that case. Then arose the question: How much tillage should be required to bring a farm under the Act of 1881? Lord Monck was put upon the Commission, a mere excrescence, but he took a liberal construction of the section; but it is still a nice legal point to decide what exactly should be the amount of tillage as a qualification under the Act of 1881. A still more extraordinary question arose in relation to hay. Hay does not seem to have struck the lay mind as having much to do with fair rent, but upon the point whether a man sold his hay or fed his cows with it turned the right of a man to have fair rent fixed. The House of Lords, with the assistance of many learned counsel, at last solemnly decided for Mr. Ellicot, that hay was a crop that might be considered a crop from the land equally with turnips or potatoes. So Mr. Ellicot was entitled to a fair rent. Then there arises the question of mountain holdings, which must of

necessity be pasture land. Is there any reason why to tenants of these should be denied the right to buy? When the hon. Member for Cork made his speech no doubt it was well intended, but the proposal of the Government will have the effect of excluding from this Bill all the farms of the butter-making districts. Suppose I was the owner of an estate—an extravagant assumption, perhaps — five-sixths of which were under tillage, and a sixth under pasture, would it not be unfair that I should have to keep up the staff of bailiffs, rent wardens, and others—in fact, all the customary ragtag and bobtail for collecting rents, when the necessity has disappeared? Far better would it be to carry out land purchase free from these inequalities. The details are much more entangled than the Government seem to imagine. The butter makers of Munster are deeply interested in this question. After 10 years of the Land Act, Judge O'Hagan shrank from deciding whether holdings of 20 acres used for butter making were excluded or not. The point was argued several times, but the Land Commissioners always by some loop-hole squeezed out of giving a decision. In the House of Lords, in the case I alluded to, one of the Irish Judges, Lord Fitzgerald, threw out a judical opinion that butter farms or dairy farms would be excluded from the Act, and the son of Lord Fitzgerald now sits on the Land Commission. The whole question is much more difficult than the Government suppose, and I strongly advise the Government to eliminate the sub-section. I am desirous of shutting out the great grazier whose name is odious to the people; but when Mr. Butt excluded graziers from his Bill, the Irish Courts did not take that fine view which since they have adopted, and the question stands in a very different position from when Mr. Butt drew his exclusion. The idea of grazier then was the exterminating land grabber who destroyed the homes of the people, and with two or three collie dogs and Scots herdmen managed miles of pasture in Galway and Mayo. Very different is the grazier in the eye of the law; the definition includes the small men who, when Ireland had run to waste and emigration had so thinned the population, that there were no labourers in harvest time, occupied his small farm as pasture land. On behalf of these—the men who farm the sweet pastures of Meath and Westmeath—I protest against their exclusion from land purchase, and move the omission of the sub-section.

Amendment proposed, in page 7, line 4, to leave out Sub-section 1.—(*Mr. T. M. Healy.*)

Question proposed, "That the words 'an advance shall' stand part of the Clause."

(11.8.) MR. PARNELL (Cork): I am thoroughly agreed with the hon. Member for Longford in the distinction which he has drawn between the class of graziers which it is desirable to exclude from the operation of this Bill and the class of graziers so defined by law, as has been interpreted by the Courts and Judges of Ireland, whom we desire to see included under the operation of the Land Act of 1881, and the subsequent Acts amending that measure. And while I say that, I also say that I made this proposal originally—upon which I suppose this clause has been based—with a view of economising as much as we can the limited resources which the Government have been able to devote to the matter. I made the proposal for the purpose of securing, so far as it was possible, that the £40,000,000 available—£10,000,000 of which have been spent—shall be used for the purpose of securing as many of the Irish tenant farmers in their homesteads and the houses which they occupy as is possible. That was why I made the proposal. But I am bound to say that the clause as proposed by the right hon. Gentleman goes a very long way beyond the object that I had in my mind, and certainly if the sub-section is to be retained in its present shape I shall vote against it. What I had in my mind when I made the suggestion first of all on the Second Reading of the Bill of last year, and, secondly, on the vote for the expenses of the Chief Secretary's Office later in the autumn, was this—that as regards grazing tenants—certainly all grazing tenancies where the tenant resided or usually resided upon the holding—all these should be included up to the limit in the Ashbourne Act of 1885, which I think is in the amending Act of 1887. But as regards the second holdings, occupied by such tenants, my view was that they should not be in-

cluded. I do not see any reason why, as the hon. Member for Longford argues, the grazing farmer, who is precluded by the terms of his original tenancy from breaking up more than a certain portion of the land, or is prevented by the physical features of his holding from doing so, or is precluded by economic considerations connected with his holding, as in the case of the dairy land of Munster, where it pays better to farm in grass than to break it up for the purpose of producing potatoes, oats, or turnips — I do not see why, under these circumstances, a man residing or usually residing near his holding should be precluded from purchasing under the operations of this Act. But when we come to the large tract in Connaught I think we ought to make a distinction where we find the large graziers having two, or three, or four holdings, amounting to valuations of several hundreds of pounds. I think that such holders ought not to take money which might be used to enable a much larger number of smaller tenants to become the owners of their holdings. As regards the question of second tenancies, when we come down to the smaller valuations, I am disposed to think, from my observations and from the Returns that have been given to us, and from the working of the Arrears Act of 1882, that the answer which was given by the right hon. Gentleman, the other day, to the hon. Member for Cavan is not entirely based upon good information. I think there is a very much larger number of second tenancies than has been returned to the right hon. Gentleman; but what I would suggest with regard to the second tenancies is this: that when we have two or three very small tenancies it would be, in my judgment, desirable to allow such tenants who occupy up to a total value of £20 or £30 to purchase, and I think, upon the whole, the justice and the convenience of the case would be met if we modified this clause so as to limit it to grazing tenancies where the tenant does not usually reside on his tenancy, leaving, of course, the limit of value provided by the Act of 1885 and by the subsequent Act of 1887. As regards the second holdings, we might allow the tenants of the second or third holdings to buy where the total valuation of such tenancies does not exceed £30. I have spoken as to the economic question, but now I come to the question of convenience. The hon. Member for Longford has pointed out very forcibly that the landlord will naturally object to sell a portion of his estate, and to keep the rest in his own hands, and as this clause is drawn I believe it will be inoperative. If the Government decide upon sticking to the proviso at the end—

"Except when in the opinion of the Land Commission such advance is necessary for carrying into effect sales on the estate of the same landlord"—

I think we might as well give the whole clause up altogether, because undoubtedly where an estate is put into the market, and when it is proposed to except any portion of the estate on account of grazing tenancies, or double tenancies under this, where the Land Commission refuses to sanction the sale on that ground, they will have the landlord coming to the Land Commission and saying he will not sell at all, and they will have to yield to pressure and agree to include these tenancies in the purchase. So that in my judgment, from the point of view of general policy, if the Government decide to hold on to the proviso contained in the last three lines in the sub-section, I think it will be far better for them to save the time of the Committee and of the House by withdrawing the clause altogether.

(11.20.) MR. A. J. BALFOUR: I have naturally listened with great attention to the speeches just delivered, representing as they do the opinion of gentlemen very well acquainted with the subject. As the Bill was originally introduced in 1890, there were no limitations of the kind contained in the sub-section. But in the discussion on the Vote for the Office of the Chief Secretary to the Lord Lieutenant, the hon. Gentleman who has just sat down, speaking with the authority of his position, drew attention to the fact that the amount of money—the £30,000,000, as we are in the habit of calling it—immediately available under the Bill could not possibly go more than a certain part of the way towards effecting land purchase in Ireland, and that it was desirable, as far as possible, to limit the number of holdings to which this money should be applicable, in order that it might be made to go as far as possible. The Government felt themselves bound to give all weight

to the views of the hon. Gentleman, and they attempted to follow some of his suggestions when they introduced words into the clause which should exclude from the benefits of purchase non-residential holdings and holdings used practically for pasturage. No criticism was passed upon that part of the clause which deals with non-residential holdings.

MR. T. M. HEALY: The hon. Member for Cork indicated a criticism with which I agreed. I did not refer to it, because it was too intricate to deal with at that time.

MR. A. J. BALFOUR: I think the hon. Member for Cork said he was in favour of excluding holdings on which the tenant did not actually reside.

MR. M. HEALY: Grass holdings.

MR. A. J. BALFOUR: I thought he went further. I interpreted his words as including all holdings.

MR. PARNELL: Where the combined valuation of non-grazing tenancies do not exceed £30 they might, I think, be included.

MR. A. J. BALFOUR: Then I understand he would exclude all holdings above £3,000 value, as is done in the Ashbourne Acts; also all grazing tenancies above £30 when the tenant does not reside on them.

MR. PARNELL: As regards non-grazing tenancies, I suggested that more than one might be purchased if the combined value did not exceed £30. As regards grazing tenancies, I would have a qualification of residence to entitle the tenant to purchase.

MR. A. J. BALFOUR: Then the hon. Member would exclude all holdings, grazing or non-grazing, above £3,000 value, and all non-residential holdings.

MR. CHANCE: May I point out that the Ashbourne Acts do not exclude all holdings above £3,000. They only provide that no more than £3,000 shall be advanced on them.

MR. A. J. BALFOUR: That amounts to the same thing. Then the hon. Member for Cork would exclude all grazing farms on which the tenant does not reside, and all farms, whether grazing or non-grazing, on which the tenant does not reside if they are over £30 value. I think there is a great deal to be said for every one of the exclusions the hon. Member suggests. The real question to be considered is whether they go far enough. The hon. Member for North Longford has urged strong reasons for us adopting the clause as framed and for not excluding the dairy farmers of Munster, or the grazing farmers of Clare. Some of the farmers he wants excluded are, however, also outside the limits of the Ashbourne Acts, namely, farms above £3,000 value. While I freely admit that the present sub-section cannot stand as it is, all the investigations I have been able to make during the last six months have convinced me that it is quite impossible to maintain grazing limitations in the form found in the Bill. I doubt whether the Committee will be entirely satisfied with the very small limitations which the hon. Gentleman proposes. I think if he were to calculate the amount of money that would be lost to the small tenants by the exclusions proposed he would find that the proportion is extremely small, and that practically, if the Bill is passed in the form recommended, three-fourths of the money will go to farms over £30 in valuation. That is not a prospect which can be contemplated with perfect serenity. The hon. Gentleman himself said that his desire, as it is the desire of the Committee, is to make as many occupiers as possible owners of their holdings. The limitations proposed, however defensible, and they are defensible, will not carry out that object. They will certainly lead in the future, as in the past, to the great bulk of the money going to those who, though they are deserving—and in my opinion they ought not to be excluded from land purchase—still ought not to be allowed to carry off three-fourths of the money intended to establish a peasant proprietary in Ireland. This problem is one of great magnitude. Even if the provisions of the Bill are not well suited to carry out the object we have in view, I hope the House will see, after the observations I have made, that the difficulty has not been solved by either the criticisms of the hon. Member for Longford or of the hon. Member for Cork. The Committee have, therefore, to consider whether there may not be some plan, better, perhaps, than either of the suggestions made, which will lead us out of the difficulty. There are a large number of gentlemen who have given great attention to the subject, and who have been specially exercised by the problem how we are to get

the money to go to the particular class of tenants whom especially we wish to serve; and I shall be grateful for any observations which may be made from any part of the House as to a question which has been largely occupying the minds of some of those most capable of dealing with the subject.

(11.30.) MR. RATHBONE (Carnarvonshire, Arfon): I am one of those who have been greatly exercised by the fact that the great bulk of this money so far from going into the pockets of the smaller tenants, or doing the work which we intend or desire, will go in an exactly opposite direction. I believe I shall be able to show that this is most distinctly the case. I have never committed myself to the principle that it would be contrary either to justice or good policy that this country should undertake some pecuniary risk, or even outlay, if by so doing we could give peace and prosperity to Ireland. But we are bound, in taking any such risk, or making any such outlay, to secure a reasonable chance of obtaining that peace and prosperity. Now, I think I shall be able to show by actual figures and experience that, unless some such limit as I propose is introduced into the Bill, you will produce a state of matters in Ireland, worse, more dangerous, and more incurable than that which now exists; that you will increase agrarian difficulty and discontent there; that you will have extended agrarian discontent to England, Scotland, and Wales; and that you will have done this at more than double the cost necessary to accomplish the object you profess to aim at, namely, to deal with all holdings up to the extreme limit workable by peasant proprietors, *i.e.* by those who rely mainly on the labour of themselves and their family, and do not require any considerable amount of hired labour. From a Paper I have circulated to the Members of the House, it will be seen that by the Return of agricultural holdings in 1881, 585,000, or eight-ninths of agricultural holdings in Ireland were under £30, and only 74,430 were over that amount. The calculations in that Paper were made on the rents of 1881 and 20 years' purchase. But there has been a great fall in rent since that day, and to get at the present net rent you would have to deduct at least 30 per cent. to allow for the fall in rent, and the difference between gross and net rental. We find, also, that the advances under the Ashbourne Act on such holdings have averaged 17·2 years' purchase. If you will work these figures out, you will see that to buy the whole number of holdings under £30 a year, which the above-mentioned reduction of rent will bring up to fully 600,000, would cost less than £70,000,000, the average cost of a single holding being a little over £110. But, of course, the whole of the holdings under £30 will not be sold, and it would seem from these figures that the £30,000,000 now asked for, and the £10,000,000 under the Ashbourne Act, would have practically sufficed to meet all demands for the purchase of real peasant holdings (say under £30) in Ireland, but that it would cost between £50,000,000 and £60,000,000 more to purchase the larger holdings, which are not real peasant holdings at all. But now I wish to call the attention of the House to the operations that have actually taken place up to the present time under the Ashbourne Act. In the Report of the Land Commission (6,233), to which the Chief Secretary referred me for information, at page 53, you will find that during the five years ending August, 1890, 13,720 holdings, comprised in 835 estates, were sold, and the loans advanced thereon amounted to £5,758,000, and that they were sold at an average of 17·2 years' purchase. Of this sum, 3,188 loans, over £500 absorbed two-thirds of the amount, namely, £3,771,000, whereas over 10,500, that is, three-fourths of the holdings dealt with, required only £1,936,000, only one-third of the sum lent. Thus it may be estimated that an advance for the purchase of a holding rated below £30 a year, averaged £188, and for a holding above that value £1,183. Now, apply these results of five years actual experience to future purchases, estimating that the remainder of the Ashbourne grant and the £30,000,000 show similar results. As the Ashbourne Act now stands, two-thirds of the £40,000,000 which this and the Ashbourne Act furnish, will be devoted to purchasing 22,200 of the larger tenancies, and the one-third left for the smaller tenancies will only purchase 70,000 of the peasant holdings under £30 a year. I would ask the

Government and the House to consider whether the country will be satisfied to spend these whole £40,000,000 sterling in buying one-ninth of the peasant holdings in Ireland? And do you believe, that if they would consent to do this, it would do anything to restore peace and prosperity in Ireland? Why, for every peasant that you make a proprietor of his holding, you make the eight left out in the cold more discontented and more unreasonable than before. Moreover, by leaving the whole unlimited as it is now, you will create about 22,000 landholders, who will not be peasant proprietors, but small landlords. Assume the rest of the Ashbourne money to be spent as before. Then if the limit I propose is adopted for the whole of the £30,000,000 at the average cost of similar tenancies hitherto, and maintained in the future, the total of £40,000,000 would have purchased over 172,000 holdings, namely, 166,000 under £30 per annum and 5,500 over that rental. As a matter of fact, the number of small proprietors created would be much in excess of this, for whereas £188 has been the average price of the smaller holdings purchased under the Ashbourne Act at £111, which is the average price of the 600,000 as estimated on the above basis, the £40,000,000 would purchase 287,000 holdings under £30 a year, and 5,600 holdings above that rental. The very small holdings have not yet been purchased to a proportionate extent. Indeed, the Report of the Land Commissioners shows this to have been the case, as more than half the loans issued have been for sums between £500 and £100, a limit which would not include the preponderating class of holdings that are worth less than £5 a year. The point which I wish to press home is this, that the adoption of the limit of £30 would really, as you see, give a very large number of peasant proprietors who will presumably be, if the Bill is justifiable at all, the friends of law and order in Ireland. But on the other hand, if you deal without limit both under the Ashbourne Act and the present Bill, the whole £40,000,000 will be divided, as hitherto, two-thirds in the purchase of larger holdings, and one-third in that of smaller ones. The £40,000,000 will thus only produce a comparatively insignificant number of small peasant proprietors; but it will also produce 22,200, or a comparatively considerable number, of the larger landowners. Many of these would inevitably set up as landlords, for they could get plenty of small tenants who would work the farms by their own labour, paying a better return to them as landlords, with the margin which the Bill gives them, than they could get by working these larger holdings as tenants. With the intense land hunger that exists in Ireland, will any man who knows the Irish character and habits tell us that where both parties are interested and bent upon evading the law, they will not manage to do it? They do not want leases or agreements to do this, they do not want to give credit to accomplish this. Only the other day a case came before me which shows how this could be managed. An Irish landlord had kept his demesne in his own hands, and not wishing to cultivate it longer himself, or to establish a tenant right on it, he has for the last seven years put up the different fields annually, in accordance with a strange custom that seems to prevail in some parts of Ireland, for the crop, which was in rotation. One of his own tenants who had put him into the Land Court to get a reduction on 25s. per acre for precisely similar land, actually took one of these fields and put down in advance £3 per acre for it. How can you expect to prevent sub-letting, against such a land hunger of which this is only one among many instances, as every Irishman who knows anything about the subject can tell you. You will have produced in a very few years a class of men corresponding to the middlemen of the earlier half of this century, poor, grinding, hard and unscrupulous small landlords, and a set of tenants poorer, more discontented, more despairing and desperate than those who exist now. They will not even have their tenant right to fall back upon. I put it to the House whether this will not give you congested districts in every part of Ireland, with their secret societies with bitter hostile discontent, a state of things worse, more hopeless and incurable than now. I know it may be said that landowners may not be willing to sell the smaller tenancies unless they can sell the larger ones at the same time. We cannot be expected to spend £50,000,000 more to let the landlord have his property in a ring fence, and if you give him the security of the great

bulk of his tenants being converted into owners he may well be left to deal with the larger tenants who are in a much better position than the same class of men in England. I may point out to you that in your crofter legislation you have already recognised £30 as the true limit of a peasant proprietary. If I were not afraid of wearying the House I could show from the actual working of some estates in Ireland that £20, which the hon. Member for Cork mentioned in his evidence before the Colonisation Committee as the most practical limit of a peasant holding in Ireland, is the amount which experience has shown to be the holding on which the average peasant proprietor can live and thrive. I am satisfied that £30 is the extreme limit of a *bonâ fide* peasant holding. But in addition to aggravating the agrarian disturbances in Ireland, you will have extended that agrarian discontent to England, Scotland, and Wales. If you do not limit your aim to the value of holding which is the extreme limit of a true peasant proprietorship, £30, look what a precedent you are setting to other parts of the United Kingdom. If you aim at that limit the precedent is comparatively innocuous for the number of holdings under £30 is so moderate in England, Scotland, and Wales that it could be dealt with, if necessary, by a manageable amount. But if you are going to take farms of £50 a year and upwards, the whole amount of the National Debt would not settle the land question in the United Kingdom, and if you buy in Ireland those larger farms, properly so called, what answer have you to give to the farmers of England, Scotland, and Wales if they ask you why the Imperial credit, for which they are responsible, could not be used to make them owners at 20 per cent. less annual payment than their rents as you would have done this in Ireland, for holders of farms who are already more advantageously placed than they are? Statesmen in these days, when they find themselves in a difficulty, seem with a light heart to grasp at the first remedy for a pressing evil that comes to their hand, without looking where the precedent and principle will inevitably lead them. They forget, too, that the democracy which they have established will, when it comes to feel its power, be sternly logical in requiring the application of such principles when its own interests are at stake. You only ask for £30,000,000 by this Bill, but if you do not put a defensible principle of limitation in your Bill you never can stop there. You will have increased discontent instead of allaying it. But I repeat, put the Bill on a safe sound principle, and you are safe. When you have satisfied the great bulk of the tenants of Ireland by making them peasant proprietors, the small minority of the larger tenants, unbacked by the mass of their neighbours, will have to be content, and the landlords will be safer, for the large tenants will not shoot, and if they do not choose to pay, will be powerless to resist the law. But I must further point out that experience under the Ashbourne Act shows that in asking this country to take the risk of the larger holdings you ask them to take a security much worse than that of the smaller holdings. The Return moved for by Mr. J. Ellis shows that up to 14th February, 1891, 34 holdings had been sold for default in payment of instalments of purchase money, and in only nine of these cases was the rent of the holding under £30 or the purchase money under £500. In other words, it has proved that the small tenant purchasers have met their liabilities better than the larger ones. The Government may perhaps say that they must have a certain margin to deal with exceptional cases. But certainly we must not continue to devote two-thirds of the amount to buying these larger tenancies, a system which has promoted and will promote the purchase of those very estates of resident landlords who have been able to some extent to prevent the extreme subdivisions of the holdings of the very landlords Ireland can least spare, and whose expropriation does least to remedy the evils complained of, and least to produce the greatest number of friends of law and order in Ireland. But if Government think they cannot accept the absolute limit of £30, perhaps they will at least accept the Amendment which I have put down later on, to restrict the amount of loans for such large tenancies to one-fifth of the total amount lent in either a county or an estate. If the qualified Amendment is accepted it will still allow £6,666,000 out of the £10,000,000 of the Ashbourne Fund, and £6,000,000 out of the

£30,000,000 provided by this Bill to be spent on these larger tenancies. In other words, even with the limitation to one-fifth, £12,666,000 out of £40,000,000 is spent in merely smoothing the progress of the Bill, leaving only £27,333,000 to be spent on the object and only justification of the Bill, the creation, for the sake of law and order in Ireland, of a peasant proprietary there. These are no speculative figures on which I base my calculations; they are the result of five years' experience of these purchases, and I can only conclude by repeating what my figures have shown clearly to anybody acquainted with the past history of Ireland—with the Irish and their land hunger—that if you pass this Bill unlimited, like the Ashbourne Act as to the value of holdings, you will not only fail in making any appreciable progress in what you seek to do, but you will actually in a very few years have made the state of things there more wretched, more hopelessly incurable than you found it, and the people more discontented; that you will have increased agrarian disturbance in Ireland, that you will extend it to the remaining parts of the United Kingdom, and that to do all this you will have spent about double the money necessary to make this Bill a really Conservative measure, carrying out the projects for which it is avowedly brought in. I am much obliged to the House for listening to me so patiently. I should just like to sum up for one minute the figures which I have laid before you. Two-thirds of the money under the Ashbourne Acts so far have been employed in buying up only 3,188 larger holdings, at a cost of £1,986,000. If you accept the limit which I propose for the £30,000,000 under the present Bill, then the £40,000,000 will purchase 287,000 peasant holdings, and 5,600 of the larger ones; that is, with the limit you will buy very nearly one-half of the whole tenancies of Ireland.

Moved, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Macartney.*)

MR. SEXTON: I hope care will be taken that Clause 5 is circulated to-morrow.

DR. TANNER (Cork Co., Mid): I think there are reasons why Progress should not now be reported. I have noticed while this Bill has been in Committee, that whenever it is approaching 12 o'clock some hon. Member opposite moves to report Progress, and they do so just in time to snap a stage of a small Bill without proper discussion. That is not a right thing to do.

THE CHAIRMAN: Order, order! The hon. Member must speak in relation to the Motion before the Committee.

DR. TANNER: I am endeavouring, Sir, to speak on the Motion to report Progress. I say that when we are dealing with a Bill like the Land Purchase Bill we ought not to waste even five minutes. I wish to protest against the way in which certain Conservative Gentlemen are acting, and sincerely hope they will not so act again.

Question put, and agreed to; Committee report Progress; to sit again to-morrow.

COMMISSIONERS FOR OATHS ACT (1889) AMENDMENT BILL. — (No. 244.)

Bill read the third time, and passed.

REFORMATORY AND INDUSTRIAL SCHOOL CHILDREN BILL. — (No. 261.)

As amended, considered; Bill read the third time, and passed.

CHARITIES RECOVERY BILL.—(No. 147.)

Lords Amendments to be considered forthwith; considered, and agreed to.

PRIVILEGE—MR. W. H. SMITH'S RIGHT TO VOTE.

DR. TANNER: I regret that I have to call the attention of the House to a serious matter which took place yesterday in connection with the right hon. Gentleman the First Lord of the Treasury who has been recently appointed to a position of emolument under the Crown. The right hon. Gentleman yesterday morning actually voted in connection with a certain Motion in this House, and I feel bound to seriously object to his so acting, after having accepted an office of emolument under the Crown.

*MR. SPEAKER: There has been no breach of order. The practice is well settled. The right hon. Gentleman's appointment was not completed, and he was entitled to vote.

DR. TANNER: Of course, Sir, I bow to your ruling, as I always do. But I should like to explain that hon. Members who know the procedure of the House told me about this case, and therefore I thought that it was only my duty to bring the matter forward.

House adjourned at five minutes after Twelve o'clock.

HOUSE OF LORDS,

Friday, 8th May, 1891.

SAT FIRST.

Lord Annaly, after the death of his father.

NATIONAL ART COLLECTIONS.

QUESTION—OBSERVATIONS.

THE EARL OF MEATH, in rising to ask Her Majesty's Government to consider whether it would not be possible to increase the educational value to the general public of the national museums and picture galleries by the appointment of lecturers, or otherwise, said: I ask this question, my Lords, in no spirit of criticism and in no hostile spirit to these magnificent establishments. On the contrary, I do not suppose there is any one of your Lordships who feels greater pride or admiration for what our ancestors have done for the country in making these valuable collections of pictures and objects of art in Great Britain than I do; but, at the same time, I should like to know whether it would not be possible to make them of little more use to the masses of the people. I ask this question in all humility of Her Majesty's Government because it may not be possible to do so; but I should be very glad if those in authority would consider the question, for it appears to me there are certain reasons, and very forcibly reasons, why it is for the advantage of this country, if possible, to bring the masses of the people more into contact with the art treasures which are to be found in our museums. Those collections were made and purchased by our ancestors at a time when England may be said to have been governed by the cultivated classes. Every day at the present time England is becoming more and more governed by those who are comparatively uncultivated, and it appears to me there is a certain danger in the future in the people turning round upon the Government of the day, whatever it may be, and asking:—"What benefit do we, the masses of the people, derive from all these pictures and from these art collections that you have in the museums? We have no time to visit them, and if we did visit them we should not be able to understand them. What is the good to us of all these old bones, these musty documents, these worm-eaten papers, these incomprehensible pictures?" Of course, there can be no doubt whatever that there is a very good answer to be made to that, but whether you could instil it into the brains of the multitude and get them to realise its force, is quite another question. Those of your Lordships who have been in the other House have no doubt remarked that those who call themselves specially the representatives of the masses of the people never grudge money which is expended upon their particular class; and I have myself remarked in the London County Council that in my most extravagant moments, and I am sometimes supposed to have very extravagant ideas, I have been supported by those who call themselves the representatives of the masses of the people. There can be no question to my mind, therefore, that if you could at once show the people of this country that all these art treasures for which you are giving large sums are really of some practical use to them and their children, they would not grudge the money. On the one hand, we know that when the country was obliged to ask for £70,000 for the purchase of a picture there was a great outcry among the masses of the people. Yet, on the other hand, we do not hear this outcry if it is a question of education. Although there was a certain amount of objection in the West End of London, there was no outcry in the East End when the School Board wanted to introduce pianofortes in the schools. Again, in the London County Council there has never been an outcry with regard to the expenditure which is going on upon open spaces. But, on the other hand, in Paddington, the other day—and Paddington cannot certainly be called much of a working class parish—when we wanted to have a Free Public Library, we were beaten by 4,000 to 2,000 votes. As your Lordships are aware, Public Libraries are not very numerous from the fact that the people do not yet perceive the necessity for their establishment in their midst. My Lords, I am bringing all this forward as an argument that it would have been wise for Her Majesty's Government to consider

whether they could not pay people at these museums and art galleries to explain the nature of their contents to the public, in order to make them of some real practical value to working people and their families. In New York the Trustees of the Natural History Museum are perfectly alive to the fact that they must do something to make that institution of real benefit to the people, or else they will not continue to receive the grants they have received from the Municipal Authorities of New York. They have, therefore, invited the various schools of New York to attend their Museum on certain days, and on those days it is given up entirely for the benefit of the school children of that city. The children are brought there by their teachers to the Museum, and they are met by lecturers who take them in classes and explain to them all that is to be found inside the Museum. Now, I want to know whether something of the same kind could not be done for our Natural History Museum at South Kensington. Our London children are as a rule totally ignorant of everything connected with nature, and with the natural objects they so rarely see in the country. Most ridiculous remarks are made by them when they go out for their, too often, one day's excursion only in the year; and there is nothing that would interest them more than to be told something about the birds and other objects to be seen in our splendid galleries at South Kensington. I can give a striking instance of the fear entertained amongst the trustees of these art collections of ours to expend money, and simply because they feel they are out of touch with the people, in connection particularly with this Natural History Museum. At the time when the collection of birds was in the British Museum there was a lady at work upon the artificial foliage and branches upon which the birds are perched. She was receiving a ridiculously small salary, and she asked for it to be increased. That was refused her, and when I went to New York I found her there at work. I was told that she was the only person able to do this very fine and beautiful work in the world, and the Americans had got her by giving her a higher salary by £100 a year. It did hurt my pride as an Englishman to be told by the Americans that we could not afford a salary of £300 a year for such work as that produced, and which can be seen any day at South Kensington. As an illustration of what may be done in this direction of instructing the public in regard to works of art, I may mention that there is a very enterprising and energetic clergyman in the East End of London, the Rev. Mr. Barnett, vicar of St. Jude's, of whom your Lordships may have heard. He has established an art gallery and museum in his schoolrooms, and he devotes them for three days in the year for the purpose of an exhibition. In the list or catalogue of the pictures which is sold at the entrance, there is a full description given of each picture—a short historical account of it if the subject of the picture is historical, or if it be mythological there is a short explanation of it given, sufficient to let the people know the meaning of the picture and also drawing their attention to the particular points in the picture which are worthy of notice. This gallery is crowded, whenever it is open, with working men. I have been there this year, and I can say that they seemed to take immense interest in everything and to thoroughly understand what they saw in a way which one does not see in our West End museums and galleries. As another example: in Berlin the public parks are made use of for the teaching of botany: the Municipal Council of Berlin has devoted several acres of the parks for the systematic culture of different plants, a certain number of which are sent round every Saturday to the different schools in Berlin for educational purposes. I simply mention all these little instances to show that in other countries they are thinking of this work; and I know also that in some parts of France, lecturers are sent round on certain days with parties of visitors to explain to them the picturers which are hung up in the galleries. I shall not detain your Lordships any further than to express the hope that Her Majesty's Government may be able to suggest some means of making our art galleries and museums of more use than they are at present to the masses of the people.

*VISCOUNT HARDINGE: Before the noble Lord's question is answered I merely wish to state as one of the

Trustees of the National Gallery, that up to the present time some lectures have been given there, though not very often, but I am bound to say that, although the lectures might have been more frequent, no objection was made to their taking place; but if this is to be taken out of the hands of the Trustees and other people, other lecturers, are to be allowed, only upon condition of getting an order to go in with all their pupils and lecture to them on the pictures, much inconvenience may ensue. I very much deprecate the idea of paid lecturers, that is, paid by Government, and I cannot think for a moment that the Treasury will ever entertain such an idea in reference to the National Gallery. Again, it would be impossible to admit lecturers and their pupils on the copying days, when the galleries are crowded with easels. Another objection might be made on the ground of obstruction: a lecturer might decide that he would lecture on the Ansidei of Raphael, and he might spend an hour or so with all his pupils before that very picture, to the great inconvenience of the public, who wished to look at it themselves. In reference to the interest taken by the people in our art treasures and pictures, I recollect an ancedote which Sir Edwin Landseer told me: on one occasion he put his finger on one of his own pictures in the National Gallery when a working man came up and said, "Do not touch that picture, it is my property as much as yours." Working men, in the event of lecturers and pupils taking up space in the rooms, might want to assert their own privileges. All I can say on behalf of the Trustees is that they are perfectly prepared to facilitate any measures which may be adopted by Her Majesty's Government, but I must say I deprecate the idea of having paid lecturers, and that it would be much better to leave to the Trustees of the British Museum, and the National Gallery, or the proper authorities in the case of other institutions, the carrying out of any arrangements of the kind suggested.

*The Archbishop of CANTERBURY: As one of the Trustees of the British Museum I would ask leave to say a few words in answer to the noble Lord, although I must premise that I have not, of course, had the opportunity of consulting the other Trustees since I saw the notice of his Motion. But I can assure the noble Earl there is every anxiety on the part of the Trustees to utilise the treasures of the British Museum to the utmost. If lectures were to be given in a Hall either in that Museum or elsewhere, they might be illustrated by specimens from the British Museum. Specimens would be very much at the service of the lecturers, the galleries ready for further study, and exceedingly good and useful purposes would be served. I would point out, however, that the galleries of the British Museum themselves are by no means adapted for lectures to any large audiences. They have been expressly constructed for the exhibition of specimens, and for their examination by students. The rooms themselves are not adapted for the purpose, and it would be impossible to give lectures on a large scale there without running the risk of causing considerable injury to many of the objects, among and about which a crowd would naturally stand. I do not know whether the noble Earl is aware that there are many parties of persons, numbering from 20 to 50, admitted and taken round the Museum, while full explanations are given to them. The present Principal Librarian of the British Museum has not only encouraged those visits, but has frequently given such instruction to parties of working men who came in the evening. He is always ready to do so, and that is making a very valuable use of the Museum. To properly understand, and really appreciate, the collections in the British Museum, persons must already have had a considerable amount of education. One of the most remarkable and valuable features of these collections. is their classification, which could not come into popular lectures at all. The rarest and most precious specimens are selected and arranged there with scientific care. They are put, of course, in prominent positions, but are of no use there for popularclasses. Then, again, the visits of school children are encouraged in much the same way as the noble Lords says they are in New York, not, it is true, by public advertisement; but it is well known that school managers who make the necessary arrangements are welcome to take

their pupils to the Museum, and have full explanations of the objects exhibited given to them. There is, in fact, the greatest anxiety to utilise the Museum and its treasures for instructive purposes, and they are so applied already to a very great extent. The appointment of paid lecturers in the building as it is would, however, involve great difficulties, and would be by no means as useful for public or for ordinary educational purposes as the noble Earl imagines. The British Museum exercises an enormous influence upon education, but it does so by educating educators; by providing on the grandest scale for those who study and those who educate the public. Both at the Natural History Museum and at Bloomsbury excellent guide books are supplied and explanations can be obtained from scientific persons. It is in that way that the British Museum is able to exert its truest influence in the education of the young.

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): I am extremely glad that the Primate and the noble Lord who has just spoken should have given their explanations with regard to the British Museum and the National Gallery. In reference to South Kensington, which is under my direction, I can state that the noble Earl is under a false impression if he supposes that lectures are not given there for I believe that every Saturday there are at the Museum five or six classes for children; objects are taken out of the cases and shown, and lectures are delivered respecting them. There are difficulties in the way of the delivery of lectures in the rooms where the objects are displayed every day. There are two classes of visitors to the Museum, the serious students and the sightseers, and if lectures were delivered in the exhibition rooms for the benefit of the students, the sightseers would inevitably crowd round to hear what was said, would perhaps get upon the objects, and would impede the work, besides doing a great deal of mischief. Therefore we are obliged to accommodate ourselves to the circumstances, and the only practicable method of lecturing is to lecture in separate apartments to which objects could be brought out of their cases. That can be done with smaller objects, but pictures cannot very well be taken down for such a purpose. I may add that it has been found that in the absence of any special attraction connected with the lecturer himself these lectures are not very well attended. I can assure the noble Earl these matters are not only being considered but are to a certain extent being done so far as they can; and without taking officials from their primary duties of taking care of the valuable works entrusted to their charge, they are always quite ready to give whatever explanations they can. I do not believe that a system under which paid lecturers should be appointed would work satisfactorily. Such a system, I fear, would result in a dislocation of the ordinary machinery of the Museum, but I fully share the noble Earl's opinion that to make the Museums as useful as possible from an educational point of view is very desirable.

CHARITIES RECOVERY BILL.—(No. 84.)

Returned from the Commons with the Amendments agreed to.

EVIDENCE IN CRIMINAL CASES BILL [H.L.]

A Bill to amend the law of evidence—Was presented by the Lord Chancellor; read 1ª; and to be printed. (No. 121.)

PROPOSED MALTESE REGIMENT.

RESOLUTION.

*EARL DE LA WARR: My Lords, I think I shall not be intruding unduly on your Lordships' time and attention if I ask you for a very few minutes to give your consideration to the subject of the notice which stands in my name. I believe I am right in stating that for some years past the attention of the Maltese people and also of the Council of Government of Malta has been directed to the subject, and a wish has been expressed that a regiment of Infantry should be raised by recruits from the Island to form a part of the British Army. This was very strongly urged of late by the Council of Government of Malta in an address to His Royal Highness the Duke of Cambridge. I will read a few words from that address to His Royal Highness, who will perhaps show better what is desired than I could impress it in my own words. This Address, which was I

believe presented to His Royal Highness during his recent visit to Malta, states—

"We feel now encouraged by your Royal Highness' opinion of the fitness of the Maltese for military service"—

in reference to some remarks which had fallen from His Royal Highness—

"To submit what we know to be the present desire of the people of these Islands, namely, that a regiment of Infantry be raised in Malta for service in Her Majesty's Mediterranean possessions. The Militia Regiment would furnish at any time a good number of officers and men trained in military discipline."

The Address goes on to say—

"We venture to remark that considering the loyalty and the trustworthiness of the Maltese, the similarity of their climate to that of Egypt, Cyprus, and Gibraltar, and the familiarity of the Maltese with Arabic and the other languages spoken on the Mediterranean Sea, the formation of a regiment of Maltese may prove very advantageous to Her Majesty's service."

I will not make further remarks upon the contents of this Address, though I venture to say there are other considerations in regard to the Islands of Malta which are worthy of your Lordship's attention in connection with this subject. There is a dense, and for many years past, a rapidly increasing population in the Maltese Islands. It is thought and it has been admitted by all who are interested in these matters, and who know the facts, that there is no better outlet for an overgrown population than by providing for its being drawn into the service of the British Army; and, I may add, to open the door of a military career to a loyal people who are much attached to this country is surely one of the best modes of relieving them of their superfluous population. Fully aware that I am no authority on military matters, yet I would submit to your Lordships that this is a subject deserving of your consideration as it would be of great benefit to the population, would increase the prosperity of the Maltese Islands, one of the most important dependencies, I may say, of this country, and would add greatly to the bond which now attaches them to the Throne.

Moved—

"That a copy of the Address to His Royal Highness the Duke of Cambridge from the Council of Government of Malta, with reference to raising a regiment of Infantry in Malta for service in Her Majesty's Mediterranean Possessions, may be laid upon the Table of the House; also, other Papers relating to the same subject."—(*Earl de la Warr.*)

THE UNDER SECRETARY OF STATE FOR WAR (Earl BROWNLOW): My Lords, there will be no objection whatever to lay on the Table of the House a copy of the Address to His Royal Highness the Commander-in-Chief, which has been asked for by the noble Earl. That Address evinces the strong feeling of loyalty to the Crown felt by the people of Malta, and a strong desire to take part in the defence of the Empire. Her Majesty's Government are fully sensible of the value of the spirit which has prompted the presentation of this Address to His Royal Highness. But advantage, I may point out, has already been taken of this feeling on the part of the Maltese people for the purpose of raising two very valuable corps in the Island. The Malta Artillery, formerly known as the Royal Malta Fencible Regiment, but converted into an Artillery regiment in 1871, took part creditably with the British Army in the Egyptian campaign in 1882. It is a regiment that is recruited to serve in the Island, but with the greatest loyalty they came forward at that time and volunteered for service in Egypt. The Malta Militia is, to a great extent, a new experiment. It was raised on the 1st of April, 1889, and they have in this short time raised themselves to such a state of efficiency that his Royal Highness on inspecting them was able to give them high commendation for their efficiency and smart appearance. The proposal put forward in this Petition is to raise a regiment of Infantry for service in the Mediterranean only. From a military point of view a regiment of Artillery would be more valuable than a regiment of Infantry, and, further, a regiment of Artillery recruited to serve in all parts of the world would be of greater value than a regiment merely raised to serve locally in the Mediterranean, and it has been calculated that the expense of a regiment of Infantry raised in Malta would not differ in any material degree from the expense of a regiment of British Infantry. There is no doubt that at present there is a great dislike on the part of the people of Malta to move very far afield, but it is hoped that possibly this feeling may be got over. I can only say that if this is the case,

and, if at some future time it is found possible to raise a regiment of Artillery in Malta prepared to serve in all parts of the world to which British troops may be ordered, I know that the Secretary of State for War will be exceedingly glad to give his most favourable consideration to any advice which may be given him on the subject by his military advisers.

*THE DUKE OF CAMBRIDGE: My Lords, as this Petition which has been referred to me was presented to me during my stay at Malta, I feel bound to make some observations on what has just fallen from the noble Earl the Under Secretary for War. I entirely endorse every word he has said as to the superior value of a regiment available for general service, inasmuch as I am strongly of opinion that local corps are in themselves objectionable, and a wish to serve merely in the Mediterranean is in itself an objectionable idea. Such a regiment should, of course, be available for service in every part of the world. To us, in our position, that is very essential. At the same time I am bound to say that the feeling and spirit of loyalty at Malta is such that I should be very sorry to see anything like a damper put upon it or upon the military sentiment which now exists in the Island. When I was there I was extremely struck with the state of efficiency of the regiment recently raised as stated by the noble Earl who has just sat down. Two years ago authority was given to raise a regiment of Maltese Militia, and whilst I was on the Island that regiment appeared upon parade, I believe in its entirety for the first time. Nothing could be more creditable or satisfactory than the manner in which both officers and men turned out on that occasion, and I can assure your Lordships that as good a regiment of Militia has been produced by the Island of Malta as any one could desire to see even in this country. A feeling existed which first of all took shape in the idea that a second battalion of Maltese Militia might be raised, and if that could be done, I think it would be most desirable. But it went beyond that, and an idea was put forward that a regiment of Maltese Infantry should be formed which might be employed in the Mediterranean. I then made the remark that I thought it was to be regretted that there should be any restriction as to where that regiment should serve, because, as I have said, I am one of those who are strongly of opinion that local corps are very inferior as a rule to corps which would serve in any part of the world. Still, I am bound to assure your Lordships that there is, I believe, a very strong feeling among the Maltese that a regiment might be raised in the Island for service in various parts of the Mediterranean, and I should be very sorry to say a single word which should damp that feeling. I quite agree with the Under Secretary for War that it would be far preferable if we could have a regiment of Artillery in preference to Infantry. We have two very large and important fortresses in the Mediterranean—Malta and Gibraltar—and, of course, the requirement of Artillery in both of those stations is very great. If, therefore, we could raise a regiment of Maltese Artillery, which should be liable to serve in both those places as well as in other portions of the Empire, I think it would be preferable to a line regiment. But I should be sorry to discourage any military sentiment which exists in Malta, and anything that might be said to the contrary I should regret. I am quite convinced that there is a most thoroughly loyal spirit now existing in that Island, and that the fact of a regiment of Militia having already been raised there has greatly added to that loyal spirit. I would further say that, as in Malta there is a very large population, it would be of great advantage that a considerable portion of that population could be made available for military purposes should an emergency arise. I sincerely hope that will never be the case; but should an emergency arise there would be so many more men available for defence, and if they were on service elsewhere, as might be the case, there would be fewer mouths to fill should the military situation involve that Island becoming dependent upon itself. We must always recollect that Malta stands by itself; that it would be difficult to support it from without in case of war, and that every man, woman and child living in Malta would have to be fed during any military emergency which might cut it off from the rest of the world. Therefore the more military spirit you can instil into the people of Malta for the purpose of providing troops not only for their own

defence but for foreign service the greater the advantage to the Empire at large. It is on those grounds that I would strongly urge that nothing should be done or said in this country which would damp the military spirit and sentiment which certainly now exist at Malta to a very large extent, and which when I was there was extremely gratifying to see. The warm feeling shown towards myself was I felt shown not to me personally, but was due to the fact that I was to a certain extent during the short period of my stay the representative of the Crown and Government of this country. Anything I could do to assist in spreading that loyalty and that spirit I can assure your Lordships I should be most anxious to do; and therefore I consider it my duty to say that though I think it may be very difficult at this moment—and I think it perhaps rather premature—to enter into any sort of arrangement as to a regiment such as has been suggested, I cannot help hoping it may be possible for the wishes of the Maltese, if they continue in this spirit, to be carried out, and that their services may be made available, but in the form rather of an Artillery corps than that of a regiment of the line. I thought it my duty to express that opinion; I expressed it at the time in Malta, and I am happy to do so on the present occasion.

*EARL DE LA WARR: May I ask the noble Lord whether he has reason to suppose or believe that the troops, if a regiment were formed in Malta, would not be willing to go on foreign service?

EARL BROWNLOW: The offer was to raise an Infantry regiment for service in the Mediterranean only, and therefore I conclude they would not be willing to serve in other parts of the world.

On Question, agreed.

LAW AGENTS (SCOTLAND) BILL.
(No. 97.)

Read 2ª (according to order), and committed to a Committee of the Whole House on Monday next.

MARRIAGE ACTS AMENDMENT BILL.
(No. 118.)

Order of the Day for receiving Report of Amendments, read.

*THE BISHOP OF LONDON: My Lords, I had intended to move a few verbal Amendments on receiving the Report, but I was not able, in consequence of Ascension Day intervening, to get them printed in time, and therefore I propose to move them on Third Reading. I will therefore content myself with moving now that this Report be received.

*THE BISHOP OF CARLISLE: With your Lordships' permission, I desire to give notice that on the Third Reading of this Bill I propose to move an additional clause. I will state shortly now what the intention of it is. As your Lordships are aware, the Bill imposes some very special duties upon the clergy throughout the country with regard to the publication of banns. I think it will be obvious to anyone who is conversant with the work of the clergy throughout the country that there will be great danger of the requirements of the Act not being attended to, and of serious mistakes being made, unless some form be provided for the clergy in their banns-books for the purpose of enabling them to comply with this Act. As I have said, therefore, I propose to move an additional clause, the effect of which will be to make it incumbent upon the Registrar General to supply proper forms in accordance with the provisions of the Act, and to supply those forms to the clergy upon application. I may just say that I have communicated with the Lord Bishop of London, who sees no objection to such an addition to his Act.

Amendments reported (according to order); and Bill to be read 3ª on Tuesday next.

EVIDENCE BILL [H.L.]—(No. 119.)

Amendments reported (according to order); and Bill to be read 3ª on Monday next.

NEWFOUNDLAND FISHERIES BILL
[H.L.]—(No. 114.)

Order of the Day for receiving Report of Amendments, read.

LORD DENMAN: My Lords, I could not hear the question put on the Second Reading, so I desire to make a few observations on the present occasion. I hope that the Government will proceed with this Bill. It has a few penalties which will have to be printed in red ink

when it is sent to another place. It is not fair to call it a Coercion Bill. I hope, with Lord Norton, that colonial susceptibilities will not injure colonial interests nor feed factious opposition if it arises in another place, nor opposition from the Front Opposition Bench in this House. If a Bill had not been brought in, it would have been said that the Government would not support colonial interests. The United States Government is anxious to mediate, and all the great Powers are striving to prevent and frustrate war.

*THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, I am sorry Lord Knutsford is not here, but I have to move in his place some Amendments which are the result of the discussion in Standing Committee and which have had the assent of the noble and learned Lord opposite (Lord Herschell.)

Amendment moved on page 1, line 11, to omit all words after "full effect" to the end of Clause 1.

Agreed to.

*THE MARQUESS OF SALISBURY: The next is on page 2, to insert after Clause 1, a new clause in substitution for Clause 2 to this effect—

"It shall and may be lawful for her Majesty, her heirs and successors, by advice of her or their Council, from time to time to give such orders and instructions to the Governor of Newfoundland or to any officer or officers on that station as she or they shall deem proper and necessary to enforce and carry out a temporary arrangement made with France for the fishery season of 1891, set out in the second schedule of this Act, and continuation of the same pending the arbitration agreed upon the second, third, fifth, sixth, and seventh articles of an agreement between Great Britain and France signed on the 11th day of March, 1891, and to give effect to the decision in such arbitration; and, in case it shall be necessary to that end, to give orders and instructions to the Governor or other officer or officers aforesaid to remove, or cause to be removed, any erections or other works whatever for the purpose of carrying on the catching and preparation of lobsters, erected by Her Majesty's subjects on that part of the coast of Newfoundland which lies between Cape St. John passing to the north and descending to the western coast of the said Island and the place called Cape Raye, and also all ships, vessels, and boats belonging to her Majesty's subjects which shall be found within the limits aforesaid; and also, in case of refusal to depart from within the limits aforesaid, to compel any of her Majesty's subjects to depart from thence, any law, custom, or usage to the contrary notwithstanding. The provisions of section 13 of the Act of 1824 contained in the first schedule of this Act are hereby enacted and applied to the orders and instructions in the section mentioned."

I should say this new clause is precisely to the same effect as the provisions already printed. The object is to avoid the difficulty with regard to the lobster fishery which was pointed out by the noble Lord (the Earl of Dunraven.) There is no other object for it, and it is rather a more workmanlike provision than that contained in the Bill in its original shape.

THE EARL OF KIMBERLEY: As my noble and learned Friend, Lord Herschell, is not here, I merely wish to say that the clause has his entire approval.

Amendment agreed to.

*THE MARQUESS OF SALISBURY: Then I have to move that the title of the Bill shall be altered by the addition of the words "and for other purposes" after the word "Newfoundland."

Amendment agreed to.

Bill to be read 3ª on Monday next; and to be printed as amended. (No. 122.)

STATUTE LAW REVISION BILL [H.L.] (No. 77.)

House in Committee (according to order): Bill reported without Amendment; Standing Committee negatived; and Bill to be read 3ª on Monday next.

TRUSTS AMENDMENT (SCOTLAND) BILL.—(No. 108.)

Read 2ª (according to order), and committed to a Committee of the Whole House on Monday next.

COMMISSIONERS FOR OATHS ACT (1889) AMENDMENT BILL.—(No. 123.)

MAIL SHIPS BILL.—(No. 124).

REFORMATORY AND INDUSTRIAL SCHOOL CHILDREN BILL.—(No. 125.)

Brought from the Commons; read 1ª; and to be printed.

COMMITTEE OF SELECTION FOR STANDING COMMITTEE.

Report from, that the Committee have added the Lord Brassey to the Standing Committee; read, and ordered to lie on the Table.

House adjourned at twenty-five minutes past Five o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 8th May, 1891.

CENTRAL CRIMINAL COURT—INDICTMENT AGAINST CAPTAIN VERNEY.

Address for—

"Copy of the record of the proceedings upon the trial of the indictment against Captain Edmund Hope Verney, a Member of that House, at the Central Criminal Court, upon Wednesday, the 6th day of May, 1891."—(*The Chancellor of the Exchequer.*)

QUESTIONS.

CASE OF ALEXANDER BROWN.

SIR J. LUBBOCK (London University): I beg to ask the Secretary of State for the Home Department whether the sentence of five years' penal servitude passed on a man named Alexander Brown, who was convicted at the Central Criminal Court on the 9th of April, 1891, for receiving money on the pretence of returning bonds known by him to have been stolen, has been reduced to one year's imprisonment; on what grounds the sentence was reduced, and whether the alteration in the sentence was made with the approval of the Judge before whom the prisoner was tried?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): It is not the fact that this prisoner's sentence has been reduced. On the contrary, I have declined to advise any interference.

THE PROSECUTION OF DURHAM MINERS.

MR. J. WILSON (Durham, Mid): I beg to ask the Secretary of State for the Home Department whether he is aware that the whole of the workmen belonging to Thornley Colliery, in the County of Durham, were tried at Castle Eden Court for an alleged breach of contract on the 23rd and 24th of February, and were fined 14s. 6d.; that they refused to pay the fine; and that for such a refusal they are being summoned in batches, and are sentenced to 14 days' imprisonment; and whether, if it be legal to try men in sections for an offence committed at one time, he will by legislation provide for the whole of the people in similar cases to be tried together?

MR. MATTHEWS: I am informed by the Justices that proceedings were taken under the Employers and Workmen Act against 70 defendants. They were not fined; but judgment for 10s. damages in some cases, and for 5s. in others with costs, was given for breach of contract. Default having been made in payment, the plaintiffs have since exercised their lawful discretion as to the number of summonses to be applied for, and the time of applying for them, and the Justices have dealt with these cases as they have come before them, in all cases where the money had not been paid, and there were sufficient means to do so, committing the defendants to a term of imprisonment under the Debtors Act. I cannot discover in these facts any hardship which calls for redress by legislation. On the contrary, it seems to me to be for the benefit of both parties that full discretion should be allowed as to the time and manner of enforcing legal rights in such a case.

NEWFOUNDLAND.

MR. MORTON (Peterborough): I beg to ask the Under Secretary of State for the Colonies whether he will have a map of Newfoundland on a large scale placed in the Library, showing the 700 miles of coast line with the depth inland over which the French claim jurisdiction?

*MR. STAVELEY HILL (Staffordshire, Kingswinford): If the request of the hon. Member is acceded to, will care be taken that the true geographical position of the islands of St. Pierre and Miquelon should be marked on the map?

*THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The hon. Member will find at page 28 of the P.P. C.6044 a map showing very clearly the coast line on which the French have fishery rights: this map will, I hope, answer his purpose. The French do not possess jurisdiction on land, but they have Treaty rights in respect to the shore, the extent and exact nature of which are much disputed.

MR. MORTON: Is the line over which the French claim jurisdiction marked with a separate colour?

*BARON H. DE WORMS: I have already stated that the French do not possess

jurisdiction on land. The map will give every information the hon. Member desires.

THE POLICE AND THE PUBLIC.

MR. LABOUCHERE (Northampton): I beg to ask the Secretary of State for the Home Department whether he has noticed the report in the London daily newspapers, of 5th May, of a charge against John West for disorderly conduct, at the West London Police Court, in which the presiding Magistrate marked the sheet, as follows:—

"I am of opinion that Charles Yeates, P.C., has been guilty of gross excess of duty in this case by striking the prisoner in the face, and using further violence without any justification:"

and whether it is intended to institute proceedings against the aforesaid Charles Yeates, P.C.?

MR. MATTHEWS: This matter is being inquired into to-day by the authorities of Scotland Yard, and it will depend on the result of the investigation what action is taken with respect to this police constable.

THE GALLERY OF BRITISH ART.

MR. ELLIOTT LEES (Oldham): I beg to ask the Chancellor of the Exchequer whether, having regard to the fact that the late Mr. Sheepshanks' collection of pictures was accepted by the nation in 1857 avowedly to establish a Gallery of British Art; that one of the conditions of Mr. Sheepshanks' gift, agreed to by the Government, was that it "should have the advantage of undivided responsibility in its management," the Member of Her Majesty's Government for the time being charged with the promotion of Art education being the *ex officio* Trustee, "instead of its being subject to the control of any body of Trustees or Managers"; that the deed of gift also provides that, if by future enactment of the Legislature, the disposition of the gift should be interfered with, the pictures and drawings are to be added to and form part of the Fitzwilliam Collection in the University of Cambridge; and that other valuable gifts and bequests of pictures, such as the Ellison and Dyce Collections, have been added to the Gallery of British Art on the same terms and conditions, Her Majesty's Government will consider whether it is desirable, in the interests of British Art and of the Gallery of British Art already founded by the munificent gifts of Mr. Sheepshanks and others, to establish at South Kensington another Gallery of British Art under a body of Trustees, and not under the responsible management of a Minister of the Crown; and whether the Government will undertake that nothing shall be done which may occasion the loss of the Sheepshanks and other collections to the nation?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): My right hon. Friend has requested me to answer this question. Looking to the facts stated in the preamble of my hon. Friend's question, his first point is no doubt one for the consideration of Her Majesty's Government. I have no hesitation in giving an affirmative reply to the second inquiry.

OFFICERS AS DIRECTORS OF PUBLIC COMPANIES.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War what rules, if any, exist regulating the right of officers on the Active List to act as Directors of Public Companies; and whether he is aware that the name of the Commandant of the School of Musketry at Hythe is being advertised as already a Director of a Mining and Exploring Company, and in that capacity vendor of a silver mine to a second company, the Board of which he further proposes to join as a Director after allotment?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): There is no regulation which prevents an officer on full pay from becoming the Director of a Public Company, provided it in no way interferes with his being able to devote all the time that is necessary to the efficient discharge of his duties. Nothing is known at the War Office as to the connection of the Commandant at Hythe with any Mining or Exploring Company.

MR. HANBURY: May I ask whether it is not the fact that the gentleman in question had been advertised for days in all the daily newspapers as being upon the Directorate of a Mining and Exploration Company?

MR. E. STANHOPE: Since the question has been placed upon the Notice

Paper I have not received any information on the subject, neither have I had an opportunity of communicating with the Commandant at Hythe; but if the hon. Member wishes I will make inquiries.

MILITIA UNDER CANVAS.

MR. HENEAGE (Great Grimsby): I beg to ask the Secretary of State for War whether it is still the intention of the Government to send certain Militia regiments under canvas to Strensall, near York, next week; whether he is aware that the influenza epidemic is prevalent in that district as well as in North Lincolnshire, to which county one of the Militia regiments belongs; what provision has been made to secure the necessary warm and dry accommodation for any cases which may arise and require immediate and special treatment; and whether the medical authorities of the War Office have considered the great danger to which any officers or men who have recently recovered from this virulent disease, or who may suddenly fall down with it, will be subjected from undue exposure to cold or wet weather at drill and under canvas in the month of May?

MR. E. STANHOPE: Yes, Sir; certain Militia regiments will be encamped at Strensall during the next few weeks. Indeed, the 4th West York is already there. Unfortunately, the hospital at Strensall has been burnt down, but a barrack hut has been set apart as a hospital, and fitted up to accommodate some 20 patients. I am in communication with the Local Authorities on the subject, but I may say that any cases of sickness which cannot be treated at Strensall can easily be transferred to the hospital at York. I have consulted on this subject with the head of the Army Medical Department, and instructions have been sent to the principal medical officer to make a very careful inspection of any battalion now arriving at Strensall, and any men found to be unfit to bear the life in camp will be sent home.

THE SERVICE FRANCHISE.

MR. ANGUS SUTHERLAND (Sutherland): I beg to ask the Solicitor General for Scotland whether Section 3 of "The Representation of the People Act, 1884," is the authority for, and origin of, the Service Franchise; whether that Act has reference to males only; and whether, therefore, females are in any circumstance entitled to the Service Franchise?

*THE SOLICITOR GENERAL FOR SCOTLAND (Sir C. PEARSON, Edinburgh and St. Andrews Universities): The Service Franchise was first introduced by the Act referred to in the hon. Member's question. In so far as the Parliamentary Franchise is concerned, that Act has been held to refer to males only. I am by no means prepared to say that subsequent legislation has not extended the Service Franchise to women in regard to elections other than Parliamentary, for which they are otherwise qualified.

BUSINESS OF THE HOUSE.

SIR STAFFORD NORTHCOTE (Exeter): I beg to ask the Chancellor of the Exchequer what business Her Majesty's Government propose to proceed with on Thursday, 21st May, and Monday, 25th May?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's Hanover Square): If the Committee stage of the Land Purchase Bill is concluded before Whitsuntide, the Government propose to take Supply on Thursday, the 21st inst. If it should unfortunately happen that the Committee stage of the Land Purchase Bill is not concluded before Whitsuntide, then the Government will take the Land Purchase Bill on the 21st inst.

MR. T. M. HEALY (Longford, N.): May I remind the right hon. Gentleman that the proposed four days' Recess will give Irish Members but little time for their holiday? I would appeal to him to put down some Government Business other than the Land Purchase Bill on the two days following the Recess?

MR. GOSCHEN: The First Lord of the Treasury is always anxious to consult the convenience of hon. Members. The Government sincerely hope, and they have reason to believe, that the Committee stage of the Land Purchase Bill will be concluded before Whitsuntide, and that, therefore, the disagreeable alternative of taking that Bill on Thursday, the 21st, will not arise.

MR. T. M. HEALY: I say that any attempt that is made to worry hon. Members in this way —— [*Cries of* "Order!"]

*MR. SPEAKER: Order, order! The hon. Member is not entitled to talk in that manner.

SCHOOL CENSUS.

MR. T. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with regard to the order of the Commissioners of National Education issued to all their teachers to fill a School Census in very elaborate forms, for the completion of which only two months are allowed, whether, in view of the fact that all this work has to be done out of school hours, and that the teachers will be deprived of necessary recreation, and opportunities of supplementing their incomes by private tuitions, any remuneration will be given for this work; whether a manager of a school in the City of Dublin (Mr. Duffy) wrote to the Board of Education in 1871, and demanded to know under what rule or regulation teachers can be compelled to work out of school hours without remuneration, and secured remuneration; and whether, inasmuch as the police are not only remunerated for Census work but relieved from all other duty, he will consider the advisability of granting some remuneration to the Irish National School teachers for the extra work imposed on them by this Census?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Census Commissioners report that the School Census Forms for 1891 are precisely the same as those for 1881. No remuneration for filling these Returns is provided by the Census Act. There is a record of a national school teacher having refused to furnish the required Returns. He, however, subsequently furnished them, but was not paid for doing so. The constabulary do not receive remuneration for Census work. The only payment they receive is a subsistence allowance when they are necessarily absent from barracks for such a length of time as would, under the Constabulary Regulations, entitle them to it. No general instructions have been issued relieving them from all other duty. It may happen, however, in some instances that the Census work is so heavy as to prevent, for the time, their being available for police duties.

RELIEF WORKS.

COLONEL NOLAN (Galway, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what relief works are in progress in the Unions of Tuam and Glenamaddy; and would he consider the propriety of starting some now that the spring sowings are completed?

MR. A. J. BALFOUR: No relief works are in progress in the Unions mentioned, the condition of which will continue to receive attention. As I have already pointed out to the hon. Member in connection with a previous question of his on the subject, relief works were recently opened in Tuam Union, in response to representations made from the locality and by himself; but with the exception of some eight persons no one could be found to accept employment at the relief rate of wage offered. (A stone of meal per day—6s. a week).

MR. JOHN CULLINANE.

MR. T. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the present condition of Mr. John Cullinane, of Bansha, who is in prison in Tullamore, although his sentence has expired?

MR. A. J. BALFOUR: The General Prisons Board report that Mr. John Cullinane's illness has developed into typhoid fever. He has been visited by his family medical attendant. A slight improvement was found in his condition this morning.

MR. T. M. HEALY: What, then, was the ground for the statement that this gentleman with others in this prison were suffering from influenza? When inquiries were made as to Mr. Cullinane's condition how is it that the prison doctor was not able to determine what the complaint was?

MR. A. J. BALFOUR: If the hon. Gentleman will put the question down on the Paper I will give a reply. I am told that influenza was the primary stage, and that it has since developed into typhoid fever.

MR. T. M. HEALY: My question was in this form on Tuesday last, as also was

a question by my hon. Friend the Member for Mid Cork (Dr. Tanner).

*MR. SPEAKER: Order, order!

SEED POTATOES.

DR. TANNER (Cork Co., Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether information has reached him that the Government seed potatoes supplied to the farmers and labourers by the Castletownbere Board of Guardians have proved a failure; and whether, in consequence of the low prices in cattle and the local failure of the fishing season, further distress is anticipated in this district?

MR. A. J. BALFOUR: The Government have not supplied any seed potatoes to farmers in the district mentioned. No information has reached me that the seed supplied by the Board of Guardians under their powers under the recent Seed Supply Act have proved a failure. I understand, however, that a correspondence has been passing in the local Press on the subject, but that the conclusion come to is that there is no present ground for alarm.

MR. DE COBAIN.

MR. GOSCHEN: I beg to give notice that on Tuesday a Motion will be made for a Return of a Copy of a Warrant of arrest issued against the hon. Member for East Belfast (Mr. de Cobain).

MR. T. M. HEALY: May I ask whether it is intended to give any further information except the Warrant? I asked a question as to the accessories, and got no information.

MR. GOSCHEN: I am not prepared to answer that question. The hon. Member had better give notice.

MESSAGE FROM THE LORDS.

That they have agreed to Registration of Electors Acts Amendment Bill, with Amendments.

ORDERS OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 6.

Amendment proposed, in page 7, line 4, to leave out "sub-section (1)."—(*Mr. T. M. Healy.*)

Question again proposed, "That the words 'An advance shall' stand part of the Clause."

(4.5.) MR. MACARTNEY (Antrim, S.): I am glad to have heard from my right hon. Friend that the Government do not intend to stand absolutely by the clause as it was originally drafted; and, therefore, what the Committee have now to decide is what limitation, if any, should be imposed upon the operation of the Bill. My right hon. Friend told us last night that the object is to create as many occupiers as possible, but I maintain that the Bill ought to be allowed to operate as naturally as possible, and that it ought not to be used for artificially increasing the number of occupiers. The hon. Member for Carnarvonshire (Mr. Rathbone) proposes to exclude every tenant whose holding exceeds £30 valuation, with the simple object of making the available money go as far as possible; but the evidence of skilled experts is entirely adverse to the suggestion of the hon. Member. I want the hon. Member to consider what must be the effect of his proposal. He seems to think that it is quite possible to turn the whole channel of the operation of the Bill in one direction by a simple proviso. Does he imagine for a moment that land purchase in Ireland is to be carried out by a landlord picking out here and there the tenants who are to sell? It is most undesirable that any distinction should be drawn between the tenants of Ireland. The Bill was introduced to enable every tenant in Ireland, without distinction of acreage or valuation, and subject only to the limitations of the Acts of 1885 and 1888, to avail himself of the benefits offered by it; and there are no grounds whatever for the limitation suggested. The question of land purchase has been examined into by Commissions, and the effect of all the evidence is that such purchase would be of the greatest possible benefit to the class of tenants occupying holdings from £20 to £40 in valuation. Mr. Kavanagh, in a Report which he presented to the last Commission, stated that he looked to the tenants of the holdings as the men

through whom the most material benefit to the community would be derived. Then there is the evidence of the Cowper Commission, and between the Report of the Bessborough Commission and the sittings of the Cowper Commission the land purchase question developed very rapidly and very remarkably. The Commission reported that they regarded the transfer of land from the owner to the occupier to be in every respect desirable with regard to the better class of tenants. Then again, Mr. Commissioner Litton was favourable to land purchase only with regard to the larger farmers in Ireland. Therefore the whole mass of Irish opinion is entirely adverse to the suggestion made by the hon. Member for Carnarvonshire. No land purchase at all can be carried out under the Bill unless whole estates, or integral portions of them, are sold. The limitation proposed by the hon. Gentleman would put an end to all attempt at sale over a great portion of the country, as there are very few estates in Ireland where the tenants are all of one class. The hon. Gentleman objects that if tenants of over £30 valuation were converted into owners, they would eventually become landlords. My own experience is against such an opinion. I live in a county where there are both large and small holdings, and I have found that the men most unlikely to subdivide their holdings in any way are the substantial farmers. The men who subdivide are the very small holders, and therefore the alarm of the hon. Gentleman on this point is quite without foundation in fact. It was, moreover, quite impossible to prevent the relation of landlord and tenant from continuing in Ireland. After the expiration of the 49 years, Parliament can no longer exercise any control over the purchasing tenants; but if all the money were diverted to the very small holders there would be a great danger that the present landlords would merely be bought out for the substitution of others. It is evident that the poor tenants would be most affected by bad seasons and potato disease, and they would soon become the tenants of mortgagees and gombeen men. If any line of limitation is to be drawn, I should prefer to exclude the tenants of less than £10 valuation; but any limitation would be unwise, because the tenantry of Ireland generally are looking forward to the benefits of the Bill. The limitation suggested by the hon. Gentleman, however, is purely arbitrary, because a peasant proprietor is not such by reason of the amount of land he cultivates. If the hon. Gentleman is thinking of the Continental *petite culture* system, where the land is cultivated only by the spade, it would be possible to exclude from the operation of the Bill all but that class of cultivators, but I do not think the Committee would consent to any such proposal. The limitation suggested by the hon. Gentleman makes no real distinction, for a holding of £30 valuation in Ireland may contain anything from 30 to 100 acres, and would include every species of the Irish tenant, from the very rich to the very poor. If the proposals of the hon. Gentleman are agreed to they will not in any way allay discontent in Ireland. The greatest dissatisfaction would continue to exist among the very tenants who most deserve consideration at the hands of Parliament. For these reasons I hope the Committee will not attempt to embark upon the course which has been suggested, but will allow this clause to pass with as few limitations as possible. I have no objection to the proposal of the hon. Member for Cork to exclude large graziers and non-residential holdings together; if they exceed £30 a year the tenant should not be allowed to purchase. For my own part I do not think that that would work unless we allowed a proviso to the effect that, when it is necessary for the sake of the estate, that condition should not operate. I should myself prefer the higher limit of £50 valuation. Subject to what I have said, I see nothing to object to in the limitation suggested by the hon. Member for Cork, though I should have preferred the broad principle that any tenant who is in a position to go into the Land Court and have a fair rent fixed should enjoy the benefits proposed to be conferred upon the Irish tenants by this Bill. I have the strongest objection to see any artificial limitations introduced into the Bill; but if limitations are to be introduced, I would suggest to my right hon. Friend that he should take those which are well understood and practised in Ireland at this moment.

Mr. Macartney

(4.20.) MR. SEXTON (Belfast, W.): It appears to me that the hon. Member's view of natural causes is extremely artificial, and that he has wholly misconceived the policy of the Bill. His idea seems to be that a very small body of individuals should be allowed in Ireland to dictate in perpetuity the use and price of the land, no matter what the result may be upon the welfare of the people. We know very well what the result has been in one generation. If what the hon. Member very whimsically calls natural causes had been allowed to operate unchecked, the Irish people must have settled the law by a revolution of despair. It is all very well to say that every tenant should have an equal right to the benefits of the Bill; but when we have only £30,000,000 with which to deal with interests amounting to at least £120,000,000, it is necessary either that some large exclusion must be enacted or that some policy of preference or discrimination must prevail. I am glad that we have reached a point in the Bill where there is no serious difference of opinion between the Irish Members and those who are in charge of the Bill. The Chief Secretary stated last night that it is the wish of the Government to convert as many occupiers into owners as possible. [Mr. A. J. BALFOUR: Hear!] That is not the policy of the hon. Member opposite. I accept the policy of the right hon. Gentleman, and I say that if there is any meaning in a peasant proprietary at all—that if we do not blind ourselves and drown our memory in regard to the only reason why this policy is proposed, we must follow the lines laid down by the right hon. Gentleman last night. Why is this Bill necessary? It is because, especially among the small owners in Ireland—those who have a precarious living, and who have chronic disputes with their landlords—there is a dual system of ownership, and that is a state of affairs which forbids any prospect of peace. This Bill is a Bill for the development and conservancy of social order, but you cannot accomplish that end by being indifferent. Why should this money go into the pockets of men who are paying £100 a year rent, and are tolerably well able to take care of themselves? If we are careless we shall create a class of small landholders who will succeed in letting their land in spite of all that can be done, and I am not sure that the last stage of the agrarian question would not be more dangerous to the common weal than is the case at present. We must bear in mind the inadequacy of our resources. The right hon. Gentleman has gone so far in the direction of the Amendment of the hon. Member for Longford as to admit that the sub-section cannot stand as it was originally. I think that on further examination the right hon. Gentleman will admit that it cannot stand as it is now. If the Land Commission make use of the rider there will be no limit except the too high one fixed by the Ashbourne Act of £3,000, or even in some cases, £5,000; while if the rider is ignored the sub-section will work great hardship in a number of cases which ought not to be excluded from the Bill. But dairy farming is on a very different footing. It is an industry which is extremely suitable to the climate and the special characteristics of Ireland, and no proposal can be entertained which will exclude those who use moderate tracts of land in Ireland for the purpose of dairy farming from the right to purchase. On the whole, I contend with confidence that sub-section (*a*) would be injurious except in the solitary case of the large grazing speculator. The second sub-section also strikes wide. Plurality of purchase ought to be limited with care, but if there is a farmer anywhere in Ireland who has two or three strips of land which make up between them only the limit of a reasonable holding, on which a family can be maintained in ordinary comfort, that holder has as good a right to be included in a Purchase Bill as the holder of one piece of land as large as them all. Under this 2nd sub-section there should be very large admissions so long as the total value of the separate holdings does not exceed what is considered to be the reasonable value of one holding. But when we pass beyond that point I would carefully limit the right of the holder to purchase, because I consider a plural holder would be a landlord in embryo, and certainly would become a landlord if he were able to purchase, whereas I think it should be a leading principle in our Debates to consider that in disposing of one kind of landlords we should not set up another

kind, more petty, more paltry, and perhaps more cruel. An alternative proposal has been made by the hon. Member for Carnarvonshire, in which he attempts to carry out what is the necessary and only intelligent policy, to make the money go as far as possible amongst the men whose dependent position on account of dual ownership is the cause of social disorder. The hon. Member has undoubtedly made a crushing case in regard to the Ashbourne Acts. The policy of the Ashbourne Acts in regard to land purchase has been a dead failure. We have spent £6,000,000, and if that had been applied to the emancipation of those holdings which have the most conclusive claim—namely, £5—which are the real trouble in Ireland, at, say, 15 years' purchase, there would have been enough to buy 80,000 holdings. The hon. Member for Carnarvonshire has come to the conclusion that two-thirds of the Ashbourne money has gone to buy out tenants over £30 annual value, whereas there are 12 holders under £30 to one over it. I cannot give a clearer view of the disparity under the Ashbourne Acts in the emancipation of these two classes than by pointing out that one out of every 16 of the larger holdings has been purchased under the Ashbourne Acts, while of the smaller holdings only one in 60 has been purchased. But the abortive result of these Acts is not seen until we come down to holdings between £4 and £10. There only one in every nine has been purchased, and of holdings under £4 only one in every 200 has been bought with the £6,000,000. Therefore, so far as land purchase has been directed to the conservancy of social order, the Ashbourne Acts are a failure. We have spent £6,000,000 already, and if we spend £4,000,000 more we shall emancipate 7,000 more small holdings and 2,000 of the large. If we spend £30,000,000 under this Act between the small and the large holdings, as we have spent the money under the Ashbourne Acts, the total result of our land policy will be that after spending £40,000,000 we shall have converted of the small tenants under £30 68,000 at an expense of £13,000,000, and of the large holders 20,000 at an expense of £27,000,000. That means that we shall have spent two-thirds of our money in creating 20,000 large holders who cannot be called peasant proprietors in any sense, but landlords who may become more grasping landlords than those we already have; and we shall have spent £13,000,000, or a third of the money, in converting 60,000 small holders out of a total of 600,000 in Ireland, or one out of every ten. I ask whether the last stage of the agrarian question would not be worse than the first. I doubt whether the proposal of the hon. Member for Carnarvonshire will effect his purpose, because it must be considered that the main principle to be borne in mind in carrying out this policy is the principle of sale of estates. I gather from a phrase he used last night that the Chief Secretary is rather opposed to a policy of direct exclusion, while he admits that the money as a whole ought to be applied in the interest of the State to the emancipation of small holders. In my opinion, we should endeavour to proceed not so much by a policy of direct exclusion of holdings with regard either to value or class, but subject to certain exceptions, by a policy of preference or rather of discrimination. I would advise that the Land Commission should fix a time in every year for dealing at one time with the applications from any county or group of counties. There need be no interruption in the work of the Commission, because they could proceed from day to day considering whether the security is good enough, and so on. In that way the Land Commission would apply the money designed for the use of a particular county upon a general view of the applications coming from that county. I would first deal with applications for the purchase of estates or parts of estates. It would be good policy to encourage the landlord and the tenants as a whole to purchase—to induce the large holder to join in with the general body of his smaller brethren. I would not leave to any county in any year more than the amount prescribed. I would then proceed to discriminate between estates, and, bearing in mind that the true policy should be to make as many small holders as possible, I would submit with confidence that the true course would be this: We should ascertain in the case of each estate what would be the total annuity from the

estate in case the proposed purchase were sanctioned. Then, by dividing by the number of tenants on the estate the total annuity, we should find out what would be the average annuity from each tenant on the estate. Proceeding in that way through all the estates, I would prefer first for purchase the estates upon which the average annuity by the State to each tenant would be the lowest, and so on from the lowest to the highest. In that way we should undoubtedly secure that a larger body of small holders would be made. When the money allocated to a particular county is absorbed, I would not exclude but reserve the remainder of the applications till the following year. And so I would proceed from year to year. I have no doubt that by pursuing such a course the minimum of hardship and the maximum of emancipation would be secured. I think the plan I have ventured to suggest is, at all events, worthy of some consideration as an experiment, and if it were found to inflict hardship on any class it would always be open to Parliament to consider some other plan.

(4.56.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): As nobody could be more conversant with the difficulty of this question than I am, I should be the last person to treat lightly any proposals coming from any quarter of the House to deal with this most embarrassing subject. I have not, of course, had leisure to think over the scheme of the hon. Member, but there are certain objections which strike me to the plan thrown out by the hon. Gentleman. The Committee will observe that the whole working of the plan depends on the amount of money which it pleases the Land Commission, in the exercise of an unlimited discretion, to allocate to land purchase for each county. If Parliament is to say in a Bill how much the Land Commissioners are to allocate, Parliament must have some foreknowledge of the degree of competition there will be in Ireland for estates. I will take first the case of counties where land purchase goes on very fast. In those counties the amount of money which will be applied for will *ex hypothesi* be largely in excess of the amount provided. In that case from year to year the unfortunate owners of estates in which there are a large number of tenants desiring to purchase will be prevented from obtaining the benefits of the Act. They will have gone through all the preliminary expense and difficulty of coming to an agreement with their tenants, and they will be in the embarrassing position in which a selling landlord always is during that vague interval between the conclusion of his agreement and the final arrangement with the Land Purchase Commission; they will be in an embarrassing position for an indefinite number of years. It is likely that land purchase will go on in different districts at greatly different rates—in some districts more applications for purchase will be made than there will be money enough to meet, while in others the applications will not be sufficient to absorb all the available fund, and in such cases the hon. Member's scheme would not be found to work at all. The reason why the big tenants have obtained a greater proportion of the available funds under the Ashbourne Act than the small tenants is because the big tenants agree with their landlords, while the smaller tenants do not agree with them, and I do not see why precisely the same thing should not occur under the hon. Member's scheme. I frankly admit that the difficulties in the way of any scheme are so enormous and the objections that may be raised to any scheme are so powerful that I am not disposed to criticise the hon. Member's scheme in any hostile spirit. The hon. Member for Antrim is exceedingly anxious that what he calls natural causes shall be allowed to operate, and he said that one of the evils under which Ireland suffers is that the operation of those natural causes is being continually interfered with. But in dealing with a land purchase scheme hon. Members must recollect that nature has been left far behind, the whole thing, good or bad, being artificial, and the direct creation of Parliament. By this Bill Her Majesty's Government are doing their best to see that the bounty of the country shall flow in the best manner, and that it shall fertilise as large an area as possible. I, therefore, cannot agree with the hon. Member that the money shall be allowed to flow through natural channels. The hon. Member for Antrim did not dissent from the proposal that holdings above £3,000 value should be

excluded from the operation of the Bill. Indeed, I think, he cordially agreed with it.

MR. MACARTNEY: I submitted to it; but I did not cordially agree with it.

MR. A. J. BALFOUR: Does the hon. Member desire to see the limit removed?

MR. MACARTNEY: Certainly.

MR. A. J. BALFOUR: Then he would like to see the Act perfectly unlimited. I cannot agree with his view, for that would mean that by lending the money of the State we should convert a large landlord into a rather larger landlord. It is not worth while doing that. Still, I do not think that it would be advisable to tell the very large landlords or the larger tenants that they must be for ever excluded from the benefits of the operation of the Bill. In order to reconcile the various difficulties which have been pointed out, I venture to throw out tentatively the following suggestion for the consideration of all sections of the Committee. The scheme I should submit is this. The Bill is intended, as hon. Members are aware, to be worked by counties—each county has a different amount of Guarantee Fund, and is responsible for its own debt. Supposing that the Lord Lieutenant were directed to make a calculation showing the relative number of holders both above and below the limit of £30. Assuming that there were 10,000 holders in the particular county, and that the Lord Lieutenant found that the whole consisted of 1,000 above the limit, and 9,000 below it. Further, let it be supposed that the Guarantee Fund of the county is £1,000, my suggestion would be that a proportionate division of that Guarantee Fund should be made corresponding to the ideal division I have suggested, and that would appropriate £900 to the 9,000 tenants whose holdings are below the limit, and £100 to the 1,000 tenants whose holdings are above it. No doubt this suggestion possesses advantages and disadvantages. The principle disadvantage would be that it would prevent the sale of large estates, but at the same time it would not militate against the sale of solid fragments of those estates. There may be other objections to the scheme, but it will have the advantage, at all events, of making this limited sum of money go as far as possible. According to the calculation I have made, it would enable us with the resources which we have at our disposal, and without any fear to the Treasury or re-lending the money, to make, straight off, freeholders of 42 per cent. of the tenants under a £30 valuation. That is an advantage that I can scarcely exaggerate, and one which the Committee should not lose sight of. I want the Committee seriously to weigh in their own minds whether the enormous advantages which it would confer, not on the smaller, but on what I may call the less large tenants, are not sufficient to outweigh the disadvantages, which are no doubt real, but which sink into comparative insignificance besides the immense gain we should obtain by adopting the principle I suggest.

*(5.16.) MR. SINCLAIR (Falkirk, &c.): I do not wish to criticise what the right hon. Gentleman has said, but to throw out an alternative suggestion. There is no doubt that the problem to be solved was fairly and well stated by the hon. Member for West Belfast (Mr. Sexton) when he said the need was greater than the resources for supplying it. Under the Ashbourne Acts the tenants of large holdings have purchased at a much greater rate than those of holdings with a valuation of under £30. I venture to suggest one way in which the difficulty can be met. The annuity contemplated under the Bill by purchasing tenants is 4 per cent., of which 1 per cent. is principal and 3 per cent. interest. The interest should always remain at 3 per cent., but in the case of the larger holdings I would suggest an increase in the repayment of the principal. If you take a £30 holding as a limitation, tenants of holdings between £30 and £50 might be asked to repay the principal at the rate of 1½ per cent, and tenants of holdings of over £50 at the rate of 2 per cent. The result would be that the repayments would come into the Exchequer at an earlier period, and the replenished fund could be used again more rapidly than if all the instalments of principal were left at 1 per cent. This scheme would bring considerable relief, and so far as it would act as a deterrent it would be in the case of estates composed of large holdings, because many holders would think twice before they would pay 4½ and 5 per cent. instal-

ment as compared with the 4 per cent. to which they would be liable under the Bill as it stands. With regard to the observations that have been made about the danger of creating a new set of landlords under the system of the Bill, I would point out that one of the causes of agrarian trouble in Ireland is that happily the standard of comfort has very materially increased, and the margin the tenant was formerly able to devote to rent is very much diminished. It is not, therefore, at all likely that the conditions to be set up will produce a class of hard rapacious landlords, such as some hon. Members seem to anticipate.

(5.20.) COLONEL WARING (Down, N.): I do not rise with any intention of proposing an alternative scheme. I only desire to call attention to the fact that every addition to the number of schemes before the Committee seems to make confusion worse confounded, and I would strongly recommend the Committee to stick as nearly as possible to the Bill as it stands, leaving only the limitations in the Ashbourne Acts. As surely as the limitations are increased, so surely will there be greater difficulties in the making of bargains between landlords and tenants. Of the four schemes propounded, that of the hon. Member for Carnarvonshire (Mr. Rathbone) is perhaps the most impracticable, that of the hon. Member for West Belfast (Mr. Sexton) stands next in impracticability, and that of the Chief Secretary is nearly as impracticable: but the hon. Member who has just sat down has indicated a line on which it is possible that something may be done. Still, I think that all these sliding scale arrangements will be fatal to the practical working of the Bill. No landlord who is not in the direst extremity will deal with his estate in fragments. Some Members seem to assume that a holding of under £30 produces the most desirable farmer, but my own experience is absolutely against that. A man cannot be an independent, solvent peasant proprietor who cannot keep a pair of horses constantly going on his own land, and he cannot do this on a holding under £30 in valuation, unless, indeed, the rental is reduced to prairie value. A pair of horses would plough 50 acres, and I think, a man who has to borrow his neighbour's horses is not fit to be a proprietor of any sort. I admit that it may be beneficial to bestow the benefits of this Bill on a number of small proprietors, but, after all, it is the tenants of the larger holdings who have been the leaders in all movements in Ireland. I quite concur in the desire of Members opposite to prevent the growing up of a new class of landlords who would be worse than the first. But I do not think that if the limit of the Ashbourne Acts be retained, such a class is likely to arise. Those who hold farms valued at £3,000 are not likely, in my opinion, to sub-divide. I think the sub-division is much more likely to take place on smaller farms than on those of 100 or 150 acres. But I agree that if you are to admit to the benefits of this Act the holders of farms of 400 or 500 acres they may become letting landlords in their turn. The hon. Member for West Belfast said all the difficulties of the last few years had arisen from dual ownership.

MR. SEXTON: I never said anything of the kind. They were due to the miserable condition of the small holders.

COLONEL WARING: Well, I took the hon. Member's words down when he spoke them. Whatever he meant, he said the disorder did proceed from dual ownership. Dual ownership we are told is to be got rid of at any price. We got on extremely well with dual ownership in Ulster for upwards of 250 years, and it was not until it was put on a legal basis that it was found to be intolerable. There is one unintentional defect in the scheme of the hon. Member for West Belfast, and it is that if the proposals to sell are to be judged by the amounts of the respective annuities, and the smaller annuities are to be preferred, that will be a direct attempt to bear the market for the sale of land. It is not the intention of the Chief Secretary to do that, and, I hope, therefore, the Chief Secretary will adhere to the Bill as it stands, or will look very carefully at any alteration which he entertains.

(5.29.) MR. M. HEALY (Cork): Whatever be our views on the Bill generally we are all agreed in believing that this sub-section ought not to stand as it is. No one has even attempted to defend it, and, if I understood the speech of the right hon. Gentleman the Chief Secretary last night, he almost aban-

doned the sub-clause in its existing form. We are all agreed that a certain class of grass land shall be excluded from the scope of the Bill; but we are met at the very threshold of the question by the most enormous difficulties. The Committee is practically agreed that the existing Acts are quite sufficient to deal with any evils that have arisen from the aggregation of holdings for the purpose of creating grass farms, and that it is not necessary to deal with them in this Bill. That being so, a good deal of the discussion we have had is somewhat irrelevant to the clause. The question of large or small holdings only becomes relevant when you come to discuss the comparatively small sum that will be available for the purpose of land purchase, and the necessity, from that point of view of selecting one class and discarding another. This clause does not discriminate between large and small holdings. I take it that the Government will agree to exclude this sub-clause, and we now consider the question whether it is necessary to devise any other alternative mode of apportioning the £30,000,000. The best plan you can devise is to find out in each county the number of large holdings, take the proportion of the two, and apportion on the basis the amount available under the Bill. The scheme propounded this evening by the right hon. Gentleman the Chief Secretary commends itself to my mind from this point of view. I think, however, it would largely hamper and cripple the sale of estates. The amount of money available in any county will not be large; if it be apportioned between the small and the large holdings, the amount devoted to the large holdings will be quickly exhausted. Take a county like Carlow or Louth, where the size of the holdings is comparatively large, and where seven or eight or nine transactions involving the maximum of £3,000 allowed by the Land Purchase Act for individual holdings would exhaust the amount available in the county for the purchase of large holdings. In that case the land purchase operations in that county would be paralysed. I take it that the effect of the right hon. gentleman's scheme in counties of this kind would be to prevent the sale of small holdings, because landlords would say, "If I sell any portion of my estate I will sell the whole of it." Again, the right hon. Gentleman fixes the amounts to be devoted to the purchase of large and small holdings respectively by the proportion of each class to the total number of holdings in the county. But it is obvious that if, for example, the small holdings were nine-tenths of the total number, very much less than nine-tenths of the purchase money would be required for their purchase; and, on the other hand, the remaining tenth of large holdings would require much more than the remaining tenth part of the money. That is, however, a question of detail, which does not affect the principle of the proposal. Another objection to the scheme is this. The right hon. Gentleman proposes to import into the Bill an arbitrary plan for securing that the money shall reach the small holders. But as purchase under the Bill is to be purely a voluntary transaction, agreement between landlord and tenant cannot be insured. The small tenants are just as much entitled to purchase under the Ashbourne Acts as the larger ones, but the right hon. Gentleman says they did not come in because they failed to arrive at an agreement with their landlords. The apportionment of a certain proportion of the money to enable the small tenant to purchase will not in any way facilitate the coming to an agreement with the landlord, and the same difficulty as the right hon. Gentleman has pointed out with regard to the scheme of my hon. Friend the Member for Belfast (Mr. Sexton), will apply to his own scheme. There would be something to be said in favour of the right hon. Gentleman's scheme if the Bill provided for compulsory purchase. Further, if the £30,000,000 is apportioned in the manner proposed by the right hon. Gentlemen, he must also apportion the Sinking Fund, and also the reproduction of the £30,000,000. Consequently, the limit introduced would apply to the whole scheme and would shut out the larger tenants from the benefit of its provisions, even when all the smaller tenants had bought. I do not, therefore, favour any such plan of exclusion as the right hon. Gentleman has suggested, and I confess it goes against my grain to exclude any class of Irish tenants. On these Benches our desire is

that all the Irish tenants should share the benefits of land legislation.

(5.47.) MR. J. MORLEY (Newcastle-upon-Tyne): I should think a great Bill has seldom been carried through Committee by more extraordinary methods than those which have been employed by the Chief Secretary yesterday and to-day. We now have a new proposal thrown down, which goes to the real roots of the policy of the Bill. The Bill aims at restoring social order in Ireland by resorting to British credit. The question is whether the restoration of social order will be aided by the fund created by this Bill, unless there is a discrimination made between the larger and the smaller holders. I should have thought that was a point which must have occurred to the Chief Secretary from the first moment that he first considered the question of land purchase. It is almost incredible that the right hon. Gentleman should come down now, on the 15th day of Committee on the Bill, and decide how he is to deal with this vital point. The right hon. Gentleman ought to tell us whether this was a scheme to which he really holds, because if not we are wasting our time. Is Sub-section 1 to be withdrawn, and if so will the right hon. Gentleman bring up the scheme so that we may know what we are dealing with? Last night a most complicated Amendment was thrown down before us, which even the Chief Secretary himself admitted he understood less than more. [Mr. A. J. BALFOUR: No.] Well, he said he understood it more or less, and if anyone says that it is generally the case that he understands it less than more. Now, a similar operation has taken place to-day on a more important point. Will the right hon. Gentleman tell us before we go any further, whether the first sub-section is withdrawn, and whether we are going to have placed before us in the course of the evening an alternative sub-section? If not, I submit that blame for wasting the time of the Committee will not lie upon any of us. A considerable amount of time has been wasted in the earlier part of our proceedings, and I hope we may now be told exactly where we are. So far it appears that neither section of the Irish Members are in love with this proposal. I admit it is not a proposal to be decided by Irish Members alone. English and Scotch Members have a right to make their opinions felt, and in this the question is unlike others that have arisen in the course of discussion; but I confess that so far it seems to me the objection indicated by my hon. Friend who has just spoken is a fatal objection. If you are going to chess-board the estates of landlords I do not see what inducement a landlord will have—unless under some tremendous pressure—to sell, for he will have to go to the same expense of management, the same office expenses, and to go through nearly as much anxiety for a smaller return as if he retains the whole of his estate unsold. I should be sorry to say that on full consideration the objections of my hon. Friend would absolutely prove fatal to land purchase, but undoubtedly the objections are strong, and I do not see the answers to them. Perhaps the right hon. Gentlemen will tell us whether this proposal is one to which the Government means to adhere, or whether he merely throws it out as a suggestion?

(5.53.) THE MARQUESS OF HARTINGTON (Lancashire, Rossendale): Before the right hon. Gentleman answers, I should like to make a suggestion in reference to the observations which have fallen from my right hon. Friend. I do not think the proposal as sketched out by the Chief Secretary will necessarily hamper the sale of estates. It appears to me—I admit from small experience, but so far as I am acquainted with a portion of Ireland—that, as a matter of fact, small holdings on an Irish estate generally lie in a certain number of townlands, and probably in many cases a landlord would not be at all averse to selling the townlands with small holdings, on them and retaining the land occupied by larger holdings, which are easier to manage. Therefore, I do not think that this proposal, as far as I understand it, would necessarily, in all cases, tend to hamper the sale of estates. There is another point on which I would ask the right hon. Gentleman a question, which I do not know whether he has fully considered. The right hon. Gentleman has given some attention to the probable operation of the suggestion he has just made. He has told us that he has calculated that about 42 per cent. of

the small holdings might be purchased with existing funds; but has he been able to consider how far under this proposal it will be possible to deal with any considerable number of the larger holdings? If the effect of his proposal will be to almost absolutely exclude the larger occupiers, I am afraid it will cause so much dissatisfaction upon the part of those excluded entirely from this measure, that it would tend very much to impede the easy working of the Act. That appears to me a great difficulty contained in the proposal of the right hon. Gentleman. I think it is very desirable that we should now know in what form the proposal is to be presented to us, in order that we may consider it somewhat further. Again, are we to understand that the division which I understand the right hon. Gentleman proposes to make with regard to the funds available for purchase in any county which will be applicable to small holdings and to large, is a final and absolute division; or in a case where the applications from small holdings have not absorbed all the funds available for the purchase of such holdings, will the surplus be available for the purchase of holdings of a larger size?

(5.56.) MR. A. J. BALFOUR: Certainly I cannot complain of the questions which have been put to me; but with regard to the speech of the right hon. Gentleman the Member for Newcastle I think I have some reason to complain. The limitations which I introduced into the Bill were avowedly introduced to meet the wishes expressed by hon. Members from Ireland. ["No."] That was their object. They were introduced in consequence of a speech made by the hon. Member for Cork on the Estimates last year, when he was regarded as leader by all hon. Gentlemen who sat on those Benches, and it is not for the Friends of the hon. Gentleman opposite now to attack us because of these proposals.

MR. T. M. HEALY: When the hon. Member for Cork (Mr. Parnell) spoke on that occasion the Chairman pointed out that he had only allowed a speech of that kind, not relevant to the Estimate, to be made, because of the position of the hon. Member for Cork, and that declaration from the Chairman prevented us from discussing the matter.

MR. A. J. BALFOUR: Quite so. That only proves that the Chairman recognised the hon. Member for Cork as the spokesman of the Irish National Party at that time; that is my own point now. In deference to hon. Members opposite, the sub-section which is now being criticised was introduced into the Bill. Having got into difficulty in consequence of following the advice of the leader of the Nationalist Party, and having been told in the interval and having found by investigation that the sub-section would not do in its present shape, what are the Government to do? We say: "Here is a difficult question, not of a Party kind; let us hear what hon. Gentlemen have to say." Is that, or is it not, in conformity with the advice which is constantly being showered upon us by hon. Gentleman opposite, that we should consult the wishes of hon. Members from Ireland? It is precisely in accordance with that advice. It is from the desire of the Government to get an expression of opinion as to whether or not the House desires to build artificial channels to conduct the stream of its bounty that the interesting discussion on this question has arisen. For my own part, I had certainly looked for some light on the question from the right hon. Gentleman opposite. A suggestion has been made of an extremely simple character, and I had hoped that we would be told in what light hon. Gentlemen opposite look at it. Now let me deal with the two questions of the noble Lord. He asks me if we have considered the number of larger holdings to which the proportion of the funds available would be allocated. The proportion of holdings under £30 valuation and over that valuation vary to an extraordinary degree. In Antrim the proportion is 17,000 under £30 to 4,000 over; in Leitrim, 13,800 to 450; in Limerick, 11,500 to 4,300; in Longford, 7,400 to 1,000. Therefore, whatever arrangement is made must be according to respective counties, and not to Ireland as a whole, because the conditions in each county are so entirely different. I cannot accept the Amendment now before the Committee, but I am willing to omit altogether sub-head (*a*) of the clause—namely, that which excludes from the scope of the Bill holdings wholly or mainly used for pasture,

which, I may remind the Committee, was specially introduced to meet the views of Nationalist Members. Then as regards Sub-head (*b*) I propose to exclude all non-residential holdings above £30, allowing within the scope of the Bill all those that do not exceed £30 valuation. This is not precisely the same proposal as that made last night by the hon. Member for West Belfast, but it is founded on his observations, and I think goes a long way to meet his view.

MR. M. HEALY: Does the right hon. Gentleman know whether that proposal is likely to operate in more than a very small number of cases?

MR. A. J. BALFOUR: It is almost impossible to give figures on this subject, but I think when we are dealing with pluralists, when we are dealing with tenants who have more than one holding, I do not think there is any injustice, having in view the desire to make the Act operate as generally as possible, in limiting the Act to £30 valuation where a tenant has holdings beyond the one upon which he resides. Sub-head B now excludes altogether non-residential holdings. The hon. Member for West Belfast objects to this on the ground that there are cases where a tenant holds a number of little plots which he and his family cultivate, and which are not more than sufficient for his requirements, and which he may desire to purchase. I am prepared to meet the hon. Member and provide that in the case of holdings under £30 the fact of non-residence shall not be a bar to purchase.

MR. SEXTON: I am not prepared to say that the figure should be £30.

MR. A. J. BALFOUR: So far for Sub-section 1. I go on to Sub-section 2.

MR. M. HEALY: Will the right hon. Gentleman say whether the limitation of £30 is applied to the non-resident holding or holdings, or to the total valuation of all the tenants' holdings?

MR. A. J. BALFOUR: The total valuation. That is the proposal. I do not now more than indicate it. I have not yet received any definite view from the Committee as to whether they are willing to accept the existing state of things under which two-thirds of the money will go to tenancies under £30 valuation or the alternative plan. I put before them, subject to two modifications with which I did not trouble the Committee when explaining the general outline, and one of which I think will meet the view expressed by the noble Lord (the Marquess of Hartington). Sub-section 2 provides that the Lord Lieutenant shall draw a line dividing holdings above and below £30, allocating the share to each body of tenants upon the principle I have explained to the Committee. Then I would introduce a provision that where in the opinion of the Commission a deviation in favour of the class above £30 is necessary to carry into effect the proposed sale of an entire estate, then such sale shall be permitted. Further, that the Lord Lieutenant may on the recommendation of the Land Commission, and with the consent of the House of Commons, modify the rules. This will give the elasticity required, because if it is found that in any county the tenants under £30 do not wish to avail themselves of their opportunity, then it will be simply the issue of an order by which the amount may be availed of by other tenants. There will thus be a sufficient amount of elasticity in the operations, and these are suggestions I hope the Committee will accept, and that the present Amendment will be withdrawn.

(6.10.) MR. T. M. HEALY: I do not think we have any reason to complain of the attitude and temper with which the right hon. Gentleman has discussed this matter. Of course I am very glad he has agreed to leave out the first sub-head, that which relates to the grazing tenants; but really in the interest of the Bill I must say the exceptions he is prepared to maintain are not worth while maintaining, and he had much better let the whole sub-section go by the board. So far as I understand the plan, and not wishing to use a harsh term, it seems to me absolutely preposterous and likely to put an end to land purchase. Why not leave the Land Commissioners alone, giving them eyes and ears. I object to the principle of first come first served in these matters. Let the Commissioners erect a dam against the flood of applications and consider them on their merits. What are the Commissioners to do as the Court is now constituted? Every day they get a number of applications, and upon the Magna Charta principle of delaying

justice to no man they take up cases day by day. What they really want is power to exercise discretion among the cases. Now take the case of the tenants on the estate of Sir Richard Wallace, in Antrim and Armagh. Purchase on these estates would absorb I assume £500,000. But the tenants have an excellent landlord, and they can afford to wait awhile. From the point of view of the Government and in the interests of peace, surely it is better to deal with those estates from whence the howl of complaint comes loudest. Deal with such estates first and let the tenants under Sir Richard Wallace and under good landlords wait, their condition is not in such need of amelioration. Now the Government propose to introduce the apparition of the Lord Lieutenant on the scene in a wholly unnecessary manner. The Lord Lieutenant knows about as much about the matter as the first man you meet crossing Westminster Bridge. He does as he is advised by the Land Commission, but why not leave the matter to the Land Commission. If the Lord Lieutenant is not to act on the advice of the Land Commission, he will listen to the advice of some of the gentlemen around Dublin Castle who are the last who ought to be allowed to intervene in a matter of this kind. The question is not worth the time the Government are spending upon it, though from our point of view we are to get rid of what we believe will be a hindrance to purchase. It is not worth while for the Government to keep up these embarrasing proposals; so far as practical convenience goes they are not worth the paper they are written on. I do not believe they could save £10,000 on the whole £30,000,000, and by far the best plan is to get rid of the sub-section altogether. The amount of money saved by these non-resident proposals will be very little. If you want landlords to sell their estates you must give them the opportunity of doing so completely. A landlord is sick of the whole process of rent collecting and process serving and all the rest of it, he wants to have his money and be quit of the whole business; but your proposal will leave him minus the best part of his estate, with half a dozen cripples on his hands, for whom he must keep up his agent, his rent office, and the rest of the landlord retinue. Let the Commission have a power of discrimination, and bring in a simple clause giving them this power. There is yet £1,000,000 to be expended under the Ashbourne Act; it will take probably a year to exhaust this amount, and by the time it is exhausted the heads of the procession of purchasers will appear to the Commissioners. Let the Commission have discrimination, with an appeal from them to some competent tribunal which the Lord Lieutenant does not represent, and in that way you will have a check upon anything like unfairness. Let the Government help us to get on with business by dropping the sub-section altogether.

*(6.17.) MR. LEA (Londonderry, S.): If the right hon. Gentleman expresses an intention of withdrawing the sub-section of course it is of no use expending words upon it. I extremely regret, and I am sure all northern farmers will regret, that the Bill should have any restrictions in it at all. The difficulty we have to meet is that the Government have gone away from the simple form of the Ashbourne Act, which allows land purchase to work unrestrictedly. I am sure the scheme of the hon. Member for Carnarvonshire could not be worked at all, because it would prevent the sale of estates, and it is only by the sale of estates that we can proceed. The Chief Secretary has now put forward a rather elaborate scheme, with rules and conditions which also, I think, would work unsatisfactorily. It seems to me that it would meet the views expressed by the right hon. Gentleman to have some general sub-section providing that the Land Commission should from time to time consider the question of advances in respective counties, and should, in considering those advances, give the preference to estates with the largest number of tenants. This, while laying down a guide, would give a discretion, but to lay down distinct rules for their course of action cannot, I think, work out satisfactorily.

(6.19.) MR. M. J. KENNY (Tyrone, Mid): I approve the suggestion to withdraw Sub-section 1, for I think the barrier it sets up to land purchase will render the Bill unworkable. So far as I understand the proposal shadowed forth by the Chief Secretary it will be

disastrous to land purchase. So far (and it must always be so) land purchase has been carried out on the basis of estates, and if you introduce restrictions which prevent this, landlords will not care to sell, and tenants will not have the opportunity to buy. What could be more unsatisfactory if the plan were carried out than to have on one estate a number of tenants who have become purchasers, and one reserving the advantages of their position, while immediately beside them are a number of men prevented by an arbitrary distinction from participating in such advantages, and who have to remain tenants for ever. Instead of settling the land question this would be creating a new series of difficulties. So far as I understand the proposals of the right hon. Gentleman they would not have the effect of advancing a system of land purchase in any way. The right hon. Gentleman proposes to allocate the amount of money for the county between the small and the larger holdings. So far as money has been advanced for purchase the existing system has not been grossly unfair to the small tenants. I admit the larger proportion has gone to the larger tenants, but that is easily understood by the greater facilities the larger tenants and the landlords have of coming together and the greater inclination of the larger tenants to buy. There are some 218,000 tenants in Ireland whose valuations are under £4, and these tenants if they purchase will have taxes thrown upon them in future which at present they do not pay. They do not pay poor rate, and the county cess is matter of arrangement. The benefits of purchase are more to the larger than to the smaller tenants. Other causes operate to bring about more rapidly purchase transactions with the larger tenants, but taking them altogether proceedings so far have not been very unfavourable to the smaller tenants. At the same time, if any system can be devised which will fairly handicap the different classes, I think it will be found in the suggestion of my hon. Friend the Member for West Belfast, because it will not be a system of positive exclusion, but by a negative system of selection, that something like an equality will be brought about. By the arrangement suggested by my hon. Friend, the Land Commission could give preference to purchase an estate where there were the largest number of tenants, and ultimately you would bring about an equal distribution of the sum to be advanced, and I believe that as it worked out we should see that in the end the larger and smaller tenants would come out pretty equally. But I protest against any system which would act as a barrier to land purchase by an artificial exclusion of one class of tenants in favour of another class. The true system would be to allow things to go on pretty much as they are under the Ashbourne Act, not seeking to introduce this 1st subsection copied from the Act of 1870, and introduced there for the purpose of excluding a certain class of tenants from compensation for disturbance, but allow things to go on; and if you do anything by way of diverting purchase from the larger tenants, let it be by proviso, directing the Land Commissioners to give preference to those estates upon which are the larger number of tenants.

(6.25.) MR. SEXTON: It is very difficult for us to apprehend the Amendment unless we are provided with a copy of the Table of the large and small holdings in different countries from which the Chief Secretary quoted. We are, I think, disposed to agree that sub-head (*a*) should be put aside, and, with regard to the non-residential sub-head, I should prefer that the £30 limit should be omitted.

MR. T. M. HEALY: I will withdraw my Amendment, reserving, of course, my right to move Amendments with regard to the residential clause.

(6.26.) MR. A. J. BALFOUR: If we really mean honestly to set to work to cause this money to go as far as possible, something like the Amendment I have read out must be accepted. I think we had better leave out Sub-section 1, and, as hon. Members opposite desire to have the figures from which I have quoted, perhaps the best course would be to bring forward my Amendment at the end of the clause. But I must say that I have had the utmost difficulty in getting statistics, and I do not think much reliance can be placed upon them, except that they show broadly the relative number of small and large holdings. Of course, if hon. Gentlemen desire to see the Return I am perfectly willing to produce it.

MR. J. MORLEY: Of course there is no chance of reaching the end of the clause before Monday.

MR. A. J. BALFOUR: I will consider what can be done in the way of figures. I cannot promise to produce anything satisfactory.

MR. T. M. HEALY: I would suggest that the Land Commission should be allowed to discriminate between one estate and another, or, at any rate, to impose a period of delay.

MR. A. J. BALFOUR: I think the more the hon. and learned Member considers that suggestion, the more impossible will he find it to leave to a semi-judicial body a task which they would altogether repudiate.

*(6.34.) MR. RATHBONE (Carnarvonshire, Arfon): I thought we were all agreed that the great object was to make as many occupiers owners of their land as possible, indeed, I do not think this country will be prepared to go to this great expense merely to buy out the larger tenants. The improvement of small tenancies has been most marked where there has been a sale, and I hope the House will adopt a provision that will prevent two-thirds of these millions going to buy out the larger tenants, many of whom are in a much better position as regards tenure than the same class of tenants in England and Scotland. We have a duty to the English taxpayers to perform. They are willing to devote large sums to carry out this work, but they require, and they have a right to require, that this money must go to the purpose for which it is intended, namely, the erection of a large body of owners who will prove staunch supporters of law and order.

(6.37.) MR. R. T. REID (Dumfries, &c.): If this sub-section is wholly struck out what will become of the various Amendments to it which appear on the Paper? I do not suppose any of those who propose the Amendments desire to embarrass the Committee, but it is difficult to know at what particular stage the Amendments will come in.

THE CHAIRMAN: If the Committee agree to strike out Sub-section 1 all the Amendments on the Paper would go also. No doubt they could be brought up again.

MR. R. T. REID: Some of these Amendments were originally put down to Clause 1 and were postponed until Clause 6, because that was considered a more appropriate clause. If we have Sub-section 1 struck out we ought to have some means provided for introducing the Amendments.

THE CHAIRMAN: It is not necessary to give any undertaking. The Amendments can be moved when the proviso is brought up at the end of the clause.

Question put and agreed to.

Amendment proposed,

In page 7, line 16, to leave out "The advances under this Act," in order to insert, "advances may be made under the Land Purchase Acts, as amended by this Act, notwithstanding any limitation contained in Land Purchase Acts, 1885 and 1888, by the issue of Guaranteed Land Stock, but such advances."—(*Mr. A. J. Balfour*).

Question proposed, "That the words, 'The advances under this Act' stand part of the Clause."

(6.48.) MR. T. M. HEALY: I presume that this Amendment is intended to meet the view put forward by the hon. and learned Member for Dundee (Mr. E. Robertson) at an earlier stage. As I understand, the object of the hon. and learned Member, was that the Government should insert words providing that the £30,000,000 sterling was to be advanced. The Government, in the most shamefaced way, have omitted to bring the Committee plumb up to the £30,000,000, and have steered the corner in the matter, they have done what they conceive to be necessary without mentioning the £30,000,000 at all. Where do they get the £30,000,000? The matter came up in this way. The Government provided in the second sub-section that the amount for the purchase of holdings should not exceed twenty-five times the share of the county in the Guarantee Fund, and then, that the Treasury, when of opinion that the advances made approximate to this limit, should certify their opinion to the Lord Lieutenant, who should forthwith determine the share of each county in the Guarantee Fund. But that is not dealing in a satisfactory way with the proposition that has been laid before the House. Either the Government are prepared or they are not, to recognise the fact that this is an advance of £30,000,000. In my judgment it would be much more honest for them to provide for the exact amount that is to be provided. At one

time we heard the advance spoken of as an advance of £30,000,000, and to-night the Chief Secretary has spoken of it as an advance of £33,000,000. Is it £33,000,000 or £30,000,000 that is going to be guaranteed? It is very unfair and unsatisfactory for the Government to leave the matter in its present condition. It would be much more satisfactory to the tenants of Ireland and their representatives that the Government should say the advance is to be £30,000,000 or £33,000,000 rather than the matter should be left in a trap-door condition.

MR. A. J. BALFOUR: If the words do not carry out the intention they can easily be amended.

MR. SEXTON: I would suggest that the Amendment of the hon. Member for Dundee should be incorporated with that of the Government.

(6.59.) MR. H. H. FOWLER (Wolverhampton, E.): I promised the hon. Member for Dundee to move the second Amendment standing in his name. I therefore move to omit in the Chief Secretary's Amendment the words "notwithstanding any limitation contained in," in order to insert in lieu thereof "in excess of the amount of £10,000,000 authorised by."

Amendment as amended :—

"Advances may be made under the Land Purchase Acts, as amended by this Act, in excess of the amount of £10,000,000 authorised by the Land Purchase Acts, 1885 and 1888, by the issue of Guaranteed Land Stock, in the amount from time to time required by the Land Commission, but such advances shall not exceed 25 times the share of the county in the Guarantee Fund."

Agreed to.

MR. R. T. REID: I now rise to move the Amendment standing in my name, namely :—

In page 7, line 15, at the end, to insert "Provided that the advances to be made hereafter under the Land Purchase Acts shall not in all exceed the sum of £5,000,000."

My object in proposing this Amendment is that the policy pursued under the Ashbourne Act in regard to these £5,000,000 should not be pursued under this Act. The discussion on this Bill has been so long and the subjects dealt with so complicated that very few hon. Members are acquainted with the present position of the Bill; indeed, so complicated is the measure that it will be almost impossible to work it until after much experience and a great deal of amendment, for there can be little doubt that when it does come to be worked a number of blots will inevitably be discovered. In some quarters the tenants will be found either unwilling to adopt the Bill or excluded by difficulties, while in others the landlords will be equally prevented from availing themselves of its provisions. It is impossible that it can work with even as much facility as the Ashbourne Act. There is another and a strong objection to this measure, namely, the manner in which it removes from the House of Commons an amount of money which may be added to the National Debt by the Land Commissioners whether the House of Commons likes it or not. We are to have the enormous sum of from £30,000,000 to £35,000,000 sterling placed in the hands of the Commissioners entrusted with the working of this measure, and they may apply it at their discretion, regardless of whether the House of Commons may like it or not. I will not attempt after the length of time the Bill has been under the attention of the Committee to go over the various points on which I might otherwise dwell, but I wish to say that if we are to have this Bill at all we ought to have the power of renewing it, if we think proper, after we have observed its operation, because it would be the height of impropriety to pledge the country to so enormous an amount of money without retaining in the House of Commons the power of retracting or modifying what has been done. The question raised by my Amendment is simply and shortly whether we are to allow this Bill to be absolutely unlimited in scope and extent, and to take out of our control for the next 20 years the application of so many millions of money, or whether, on the other hand, the House of Commons shall be enabled to re-consider its position at a time when it may be very differently constituted from what is the case at present—whether, in fact, we are to go still further in the policy of buying out the landowners of Ireland or not. Without occupying the time of the Committee any further, I will at once move the Amendment I have placed on the Paper.

Amendment proposed,

In page 7, line 16, to leave out from the word "holdings" to the end of Sub-section (2),

and insert the words "shall not in all exceed the sum of five millions."—(*Mr. R. T. Reid.*)

Question proposed, "That the words 'in any county' stand part of the Clause."

MR. A. J. BALFOUR: I presume the hon. Gentleman who has moved this Amendment hardly expects me to accept it, or even to enter into the discussion of the question he has raised at any detail. As the hon. and learned Gentleman objects to the entire Bill, it cannot be a matter of surprise that he should desire to limit its scope. And as the Amendment really goes to the root of the measure, I hope the hon. and learned Gentleman and his friends do not desire that I should repeat the arguments which have already been urged over and over again.

SIR G. TREVELYAN (Glasgow, Bridgeton): I think, from the tone of the speech of the right hon. Gentleman opposite, and the manner in which he has replied to my hon. and learned Friend behind me, he will at least be inclined to allow that there are some hon. Members in this House who, while objecting on principle most deeply and conscientiously to this measure, have not joined in obstructing its progress. Some weeks ago I spoke at length upon this question, and I then referred to several of the points of controversy which induced me to take the view I am about to express in support of the Amendment of my hon. and learned Friend. I will, therefore, confine myself at the present moment to stating those points which appear to me to impose an absolute obligation on the part of every one who has the real interests of the British Treasury at heart to vote for my hon. and learned Friend's Amendment. In the first place the Bill proposes to put the Land Commission beyond the control or veto of the House of Commons, and to prevent this House from even discussing its proceedings in the future. Therefore, we wish these proceedings to be confined to the disposition of the large sum of £5,000,000. By the time that that amount has been spent we shall have a new Parliament—a Parliament which, whatever its political complexion may be, will have, as I believe, been elected by constituencies opposed, as in 1886, to the extension of land purchase in Ireland on the credit of the British taxpayer. We hold that that new Parliament should have an opportunity of saying whether further sums shall be advanced under the provisions of this Bill. I see in the Returns which have been placed before us a serious tendency on the part of the tenants to become discontented with the bargains they have made. It is an alarming fact that purchasing tenants are already applying to Parliament to be relieved of part of the liability they have incurred. I therefore submit it would be advisable to confine the operations under the Bill to the sum of £5,000,000, as the period which the expenditure of the amount will involve will throw fresh light on the question. I shall, therefore, vote for the Amendment of my hon. Friend.

(7.22.) SIR G. CAMPBELL (Kirkcaldy, &c.): I think we have suddenly come upon a vital point in this Bill. The object, we are told, is to apply —directly or indirectly—a sum of £30,000,000 to the purposes of this Bill, and I think we have a right to know what is the burden to be thrown on the British taxpayer. The object of the Amendment is that we should in this matter proceed step by step, and only authorise the expenditure of £5,000,000 in the first place. The fact is that under the Bill there is utter uncertainty as to how much money will be required. We are told that as the local grants are now allocated it will be possible to advance £33,000,000. But then the Government have a free education scheme on hand under which £200,000 will be handed over to Ireland, and as I understood that grant will enable a further £5,000,000 to be advanced for purposes of land purchase. There is consequently no telling what will be the burden eventually thrown on the British taxpayer for the benefit of the Irish landlords. The Bill is so elastic that it is altogether unsafe in the interests of the taxpayer, for the Government may throw an enormously increased liability on the country by simply increasing the local grants to Ireland.

*(7.25.) MR. J. E. ELLIS (Nottingham, Rushcliffe): I shall certainly support the Amendment. No one, I think, who is familiar with the figures which have been produced in the course of the discussion on the Bill in regard to the operation of the Ashbourne Act can doubt that it would be the height of imprudence to lavish at one stroke £30,000,000 upon Ireland in the manner proposed. The wise course obviously would be to pro-

ceed in a more or less tentative manner as suggested by the Amendment. It has been demonstrated in the most conclusive fashion that out of the £5,760,000 issued under the Ashbourne Act no less than £3,771,808, or more than two-thirds, had gone to a quarter which, unquestionably, the Act was never intended to benefit. We may search in vain through the speeches delivered by the Vice-president of the Council of Education, then Chief Secretary for Ireland, who introduced the Ashbourne Act in 1885, or through the speeches of the Attorney General for Ireland, who proposed the second Ashbourne Act in 1888, for any words indicating that they intended any part of the money expended under those Acts to go to persons other than tenant farmers on a small scale, or the creation of peasant proprietors. Yet as the Return issued in connection with the Acts conclusively show, no less than two-thirds of the money has gone in a manner contrary to that intended. The Returns referred to furnished most striking illustrations of the truth of the contention that it is the larger kind of farmers, and not the smaller class, who benefit most by these Land Purchase Acts. Taking 60 holdings mentioned in the Returns I find that the total acreage amounted to 12,000 acres, the rental to £10,000, and the cost of purchase to £180,000. The average rent per acre was 17s. 6d., to which must be added 12s. or 14s. more to represent the improvements, bringing it up to 25s. or 30s. The average acreage was 200, the average rental £170, and the average purchase money £3,000. Surely it would not be contended that the House of Commons should appropriate Imperial credit to the aid and relief of such cases as these. I am against the lending of Imperial credit for the purpose of setting up people in farming or in any other business unless good reason can be shown for the adoption of such a course; and in the present instance the only reasons urged in favour of the advance are that it would lead to the maintenance of social order and the relief of the small and struggling farmers. But it cannot be gainsaid that in point of fact, judging from the experience gained in the case of the Ashbourne Acts, the relief is likely to go under the present Act, not to the latter class at all, but to persons very well able to take care of themselves. I shall, therefore, have no hesitation in voting for any Amendment which aims at limiting the amount of the advance.

(7.30.) MR. STOREY (Sunderland): I understand the object of my hon. Friend to be to limit the sum to be advanced under this Bill, and I cordially support it, because I believe that every Parliament and every recurring Parliament should have an opportunity of deciding whether operations under the Bill shall be continued. This has been called a "£30,000,000 Bill." I do not know who invented the phrase, the sum is not mentioned in the Bill, and no one knows better than the Chancellor of the Exchequer that this is not a question as between £5,000,000 and £30,000,000, but that it is a question as between £5,000,000 and £60,000,000, or even more. I do not think that the public or even hon. Members recognise the fact that under the peculiar arrangements of this Bill it will not be the case that at the end of 49 years the money advanced will have been repaid to us. I thought at first that the methods of the Ashbourne Act were to have been followed in this Bill. The £10,000,000 advanced under those Acts will eventually come back to us, after it has enabled the borrowers to buy their holdings; but under this Bill we shall, at the end of 49 years, still be £30,000,000 out of pocket, for the money as it comes in is to be re-advanced. Over and above the advances there will be the accruing interest, and it has been computed that the eventual cost will be £70,000,000 or £74,000,000 sterling. Now, I wish to enter a serious protest against the policy of allowing the Government to take out of the hands of the House of Commons the power of controlling financial matters. By now providing that this money shall be lent and re-lent, you are making not a temporary but a permanent arrangement; you are in fact adding £30,000,000 to the National Debt, you take all control over the matter from the House of Commons, and you enable the Land Commission to go on lending the money to the Irish tenants as long as it chooses. That is my first objection. In the second place, I should like to be satisfied that this operation will be advantageous to Ireland and to the State. I do not like

taking a leap in the dark such as this, and, therefore, I should prefer to limit the operation of the Bill. If this Bill is passed, a future Parliament cannot interfere with it unless it can get the House of Lords to pass a repealing Bill. There has been during the last four or five years a great deal too much of the practice of committing our financial arrangements into the hands of the House of Lords. We are not to be allowed to re-consider our shipbuilding projects without going to the House of Lords to get the Bill repealed, and so the Government now propose to act with regard to land purchase in Ireland; they will not allow a future Parliament to reduce the amount authorised to be advanced if in its wisdom it wishes to do so. The same principle is intended, I believe by the Chancellor of the Exchequer, to be applied to the Irish light railway schemes; the money required for these undertakings is to be capitalised, and withdrawn from the control of the House of Commons. I know that on this point we cannot expect to receive the support of the Irish Members. We cannot reasonably complain of their willingness to take all they can get from a Tory Government, and from the British taxpayer. But they cannot say that we are taking up an improper position, for we represent the British taxpayers, and I, for one, was sent to this Parliament by constituents who knew I protested against land purchases when proposed by a Liberal Ministry. I voted against the Bill in 1886, and I still oppose a principle which commits the British public to large expenditure in Ireland for the purposes of land purchase.

(7.46.) SIR W. PLOWDEN (Wolverhampton, W.): I merely rise to give effect to a pledge which I gave my constituents, to oppose any scheme of land purchase. That pledge was given very largely by hon. Members opposite, with what result may be now witnessed, but I, consistently with my pledge, feel now constrained to record my protest against the entire principle of using the money of the British taxpayer for the purposes of land purchase in Ireland.

MR. CONYBEARE (Cornwall, Camborne): I, too, wish to record my protest against the principle contained in this measure. It was a principle against which hon. Members pledged themselves up to the lips. It is true, and a matter of notoriety, that many of us on this side of the House did what we could, though against our convictions, to popularise the Land Bill of 1886—["Oh!"]—and though hon. Members opposite jeer at that statement, it is to be observed that they do nothing to popularise the present Bill. Pledged to oppose the application of the British taxpayers' money to such a purpose, they now swallow all their engagements and sit silently observant of their breach of faith.

(7.57.) The Committee divided:—Ayes 116; Noes 44.—(Div. List, No. 200.)

MR. STOREY: On behalf of the hon. Member for Elgin and Nairn, I beg to move, in page 7, line 17, after "shall," insert—

"Be made only to such a total amount as that the aggregate of the purchase annuities due to the Treasury in each year in respect of them shall not exceed the aggregate payments due in the same year to the Guarantee Fund from Imperial contributions and local grants as provided by this Act, and shall."

The hon. Member for Elgin and Nairn has supplied me, as well as other hon. Members, with an elaborate statement of figures, which show broadly that the expenditure by the Treasury will exceed the payments accruing from the tenants, and he contends that by the adoption of his proposal the ultimate effect would be the avoidance of a deficiency, and it is in the interest of sound finance that he asks the Government to accept his Amendment.

Amendment proposed,

In page 7, line 17, after "shall," insert "Be made only to such a total amount as that the aggregate of the purchase annuities due to the Treasury in each year in respect of them shall not exceed the aggregate payments due in the same year to the Guarantee Fund from Imperial contributions and local grants as provided by this Act, and shall."—(*Mr. Storey.*)

(8.10.) MR. CONYBEARE: An Amendment has been proposed in a very temperate way by my hon. Friend, and whatever the right hon. Gentleman may think of it, it deserves some answer on the part of the Government. If, Mr. Courtney, besides being robbed we are also to be insulted by the Government, I think it will not conduce much to the amenities of debate or to the public interest. A Bill of the most complicated and unintelligible character, judging from what has been said by so many

hon. Members, has been introduced; and surely if the Committee stage is to be of the slightest use in connection with the conduct of the measure, it is desirable that we should use our time in elucidating its provisions. There are Members who think that by moving Amendments they may improve the Bill, and I take it that this Amendment has been placed on the Paper with that object in view. The fact that the hon. Member for Elgin and Nairn (Mr. Keay) is unfortunately incapacitated by illness from moving it should be an additional reason why the right hon. Gentleman should take some notice of it, and I am surprised that the right hon. Gentleman, after the speech of my hon. Friend, has studiously refrained from paying the slightest attention to the proposal. As the Chancellor of the Exchequer is indicating his desire to step into the breach and to give some answer, I will reserve any further remarks I am desirous of making until that reply has been made, and I cannot but acknowledge the courtesy displayed by the right hon. Gentleman, contrasting as it does with the discourtesy of the Chief Secretary for Ireland.

(8.14.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I must take the entire responsibility of not having risen to reply to the hon. Member for Sunderland (Mr. Storey), as my right hon. Friend the Chief Secretary for Ireland left this matter in my hands. If I did not rise it was because of the singular way in which the Amendment was proposed. I did not understand whether the hon. Member for Sunderland desired to limit the amount, or whether his remarks were directed to the absence of security. His speech was, however, on the whole, in the direction of limiting the amount. The question of limitation has been argued over and over again, and we cannot assent to the Amendment.

(8.15.) COLONEL NOLAN (Galway, N.): It is really a shame to cumber this Bill with Amendments of this kind when there are so many matters that the Irish Members wish to discuss. I may, however, point out in reference to this proposal that if a man had paid his instalments for 40 years out of 49, the fact that nine instalments had still to be paid would, under this Amendment, prevent a grant being made to the tenant of another holding. There might be perfect security, and indeed the tenant might have paid so many instalments that if he refused to pay any more the country would really be a gainer, and yet no advance could be made to another holder. I am sorry to hear that the Member for Elgin is sick because except on this Bill, he has been a very useful Member of the House. With regard to this Bill, I regret to say I cannot make a similar statement. I invariably also find myself in the opposite Lobby to the hon. Member for Sunderland when it is a question respecting Irish money or the development of Irish resources, and I imagine that the hon. Member cannot be aware that Ireland contributes about £8,000 a year to the Imperial Exchequer.

(8.19.) MR. SHAW LEFEVRE (Bradford, Central): In my opinion, this Amendment really raises the same question as will be raised on the re-lending clause, and I think the discussion had better be taken on that clause. I would, therefore, suggest to my hon. Friend that the discussion should be postponed.

(8.20.) MR. CONYBEARE: I am inclined to think that the right hon. Gentleman is right, and, as we have no desire whatever to prolong discussion, I shall not offer any opposition whatever to the suggestion that my hon. Friend should postpone further explanation respecting his Amendment.

(8.21.) MR. STOREY: I will withdraw the Amendment at the present moment.

Amendment, by leave, withdrawn.

(8.22.) COLONEL NOLAN: I would like to move the Amendment standing in the name of the hon. Member for Meath (Mr. Mahony) not to the extent of the 75, but to the extent of 28. I would ask the Government why it should be 28? I think you are cutting down the whole amount advanced to Ireland by this limitation.

Amendment proposed, in page 7, line 18, to leave out "twenty-five," and insert "twenty-eight." — (*Colonel Nolan.*)

Question proposed, "That 'twenty-five' stand part of the Clause."

(8.25.) MR. A. J. BALFOUR: If you want to carry out the principle of

the Bill, you must cover the Guarantee Fund.

MR. STOREY: My hon. and gallant Friend just now characterised an Amendment we moved as ridiculous. I characterise his Amendment as ridiculous and unintelligible, except on the assumption that he wants, by the introduction of 28 instead of 25, to get another £3,000 or £4,000 of British funds for the use of the tenant farmers of Ireland. I suppose that is his object; and he need not wonder that an intelligent Government and a watchful Opposition will not allow him to carry it out.

(8.27.) COLONEL NOLAN: My hon. Friend thinks it is ridiculous for us to try and get £3,000 or £4,000 for Ireland. I do not think it ridiculous at all. I think it is the only useful thing we do here. I think the Government ought to look over this point, and see whether they cannot increase this 25.

(8.28.) MR. MORTON (Peterborough): I desire to support the alteration of the amount, but for altogether different reasons from those stated by the hon. and gallant Gentleman. I gather, from what the hon. and gallant Member has just said, that the principal object of the Irish Representatives here is to get British money.

COLONEL NOLAN: No.

MR. MORTON: I am afraid he forgets altogether that it will be necessary to repay that money. To my mind, it would be much better to reduce than to increase the total loan.

(8.29.) DR. TANNER (Cork Co., Mid): I rise, as an Irish Member, for the purpose of repudiating the statement made by the hon. and gallant Gentleman (Colonel Nolan) that our chief duty here is to obtain money for the Irish tenant farmers. Has the hon. and gallant Gentleman no word to say for the Irish agricultural labourers and the unfortunate men in towns? The hon. and gallant Gentleman's statement requires instant repudiation.

(8.30.) MR. CONYBEARE: There is a very substantial reason why we should join with the Government in resisting this appeal. I think we have a right to insist that the proposal does not go beyond an absolute cover.

(8.30.) MR. CHANCE (Kilkenny, S.): It was but recently we were reminded of the imprudence of anticipating default on the part of the tenants; but this is what the clause does: it says that a cover for this must be kept in the Guarantee Fund. My second observation is this: that the clause or sub-clause cannot come into operation until the limit of the period is reached; that cannot be for 8 or 10 years, and the Treasury will have seen that defaults are exceedingly small. I do not believe that default will amount to anything like 1 per cent. if the Act is worked with wisdom and prudence. In that case why should the Treasury insist on a cover of 4 per cent.? Why should not the Treasury have a discretion to act on their experience, and go below the figure proposed?

Question put, and agreed to. (8.32.)

(9.9.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

(9.11.) MR. CONYBEARE: I beg to move the Amendment which stands in the name of the hon. Member for Elgin and Nairn, namely, to insert after "Fund," in line 23,

"Provided always, that the total amount of advances in all the counties to be made under this Act, shall not exceed thirty million pounds."

The purport of the Amendment is to limit the amount of the advance to a particular and definite sum. I think that is a very desirable object, and it is for that reason amongst others that I am glad to have the opportunity of moving the Amendment in the absence of my hon. Friend. I should be glad to fix a smaller sum; but as I am moving an Amendment standing in the name of another hon. Member, I am content to take the issue upon the £30,000,000. There is good reason why they should insist upon this Amendment. The Government have let it go out to the country that they are going to settle the whole matter for £30,000,000; but having carefully examined the Bill, I cannot find that in any part of it the Government have distinctly stated the exact amount which they propose to utilise for this purpose. I think it might be proved that, so far from £30,000,000 being the sum to which advances under this Bill will be limited, the sum ought to be at least double, if not trebled. That being so, we have a right to insist that some distinct limitation shall be introduced, that some specific sum be placed in the forefront of the measure, so that every one reading the Bill may clearly appreciate what is

the extent of the obligation to which the country is being committed.

Amendment proposed,

In page 7, line 23, after the word "Fund," to insert the words "Provided always, that the total amount of advances in all the counties to be made under this Act shall not exceed thirty million pounds."—(*Mr. Conybeare.*)

Question proposed, "That those words be there inserted."

(9.15.) SIR G. CAMPBELL: I am glad this Amendment has been moved, because I think it will put the question more clearly before the House and the country. As the Chief Secretary said last night, it is customary to speak of the advance as one limited to the sum of £30,000,000; but I wish to ask the Chancellor of the Exchequer whether, owing to the grant to Ireland of £200,000 under the Budget proposals, it will not be possible to advance another £5,000,000 under this Act?

MR. GOSCHEN: In reply to hon. Members, I may say that the sum of £30,000,000 has always been used as an illustration of the amount which will be available under existing circumstances. No doubt, if the contributions from the State should be increased, if they should grow naturally, the amount which can be advanced will also grow naturally. What we propose to advance is not £30,000,000, but a sum equivalent to 25 times the amount of the annual contributions from the State. The hon. Member for Kirkcaldy asks if it will not be possible to advance a sum in respect of the £200,000 it is proposed to grant to Ireland. It will depend entirely upon the manner in which that sum is allocated whether or not it will come under the provisions of this Bill. It is true we do not limit the advance to £30,000,000; we do not profess to. [*Opposition ironical cheers.*] The Chief Secretary for Ireland has always said the amount which at present is at disposal is about £30,000,000, but we are anxious that as many tenants as possible should purchase their holdings, and we should not regret if we were able to carry further that system of land purchase in Ireland which, under present circumstances, will involve an advance of something like £30,000,000 or £32,000,000. We object to the insertion of any particular amount in the Bill, because we are anxious we should have power to advance up to 25 times of the absolute security. It has been asserted that £30,000,000 is the amount to which we are able to go. I believe that, looking to the present contribution, the sum is rather above £30,000,000.

(9.20.) SIR G. CAMPBELL: I admit the Chancellor of the Exchequer has answered my question with perfect frankness, and that we now know exactly how we stand. The advance is not to be limited, but if there is a famine in Ireland, or if there is an increase in lunacy and the local grants are enlarged, the taxpayers of this country may be saddled with an advance of £60,000,000, £80,000,000 or £100,000,000. The Government wish to make the Bill elastic; they wish to bind posterity to an indefinite advance.

(9.21.) MR. GOSCHEN: The hon. Gentleman must recollect that the Treasury have got the power to check the advances at any moment unless it is supposed that the present Government will be in power perpetually, which of course I cannot assume — [*Ironical Opposition cheers*]—it will be in the power of any subsequent Government, perhaps under the auspices of the right hon. Gentleman the Member for Bradford (Mr. Shaw Lefevre), to withdraw sanction to advances.

(9.22.) MR. SHAW LEFEVRE: I think we may assume from the statement of the Chancellor of the Exchequer there will be the addition of another £5,000,000 to the £30,000,000 already promised.

MR. GOSCHEN: There may or there may not; the right hon. Gentleman must not assume it.

MR. SHAW LEFEVRE: I am justified in assuming that the matter will be so arranged that there may be an additional sum advanced. The worst of this system is that it will give a double inducement to make local grants to Ireland. The Committee will do well to pause before they sanction the Government's proposal.

(9.24.) MR. R. T. REID: I agree with my hon. Friend the Member for Kirkcaldy, that the Chancellor of the Exchequer has been perfectly fair and candid in the statement as to the effect of this particular clause. But I think if the statement had been made before the country was absolutely sick of the discussion of this Bill, and before it was languid on this subject, the result would not have been wholly favourable to the

views of the Government. The Government will not accept any limit of the sum of money which is liable to be advanced. They wish that the sum shall be extended or contracted at their pleasure. They may increase the grants to Ireland, and thereby enable a still further sum to be advanced under this Bill. I trust my hon. Friend will go to a Division.

(9.25.) MR. PICTON (Leicester): I must confess that I am almost ashamed that I have not protested against this measure earlier, and more frequently. The inhabitants of Ireland may be perfectly justified in plundering this country, but we, who look at it from the point of view of the British taxpayer, are entitled, to say the least, to raise our voice in protest against this expenditure. The British taxpayers will not stand the way in which their money is being used, and the more they discuss this question the better will they understand how their interests are being betrayed. The right hon. Gentleman ought surely to be able to fix some limit to the plunder.

MR. LEA: I protest against this talk of robbery and plunder, and against these Second Reading speeches, just as if Ireland would take the money of the English taxpayer and never re-pay. Such talk is insincere, and unfair to Ireland. The Irish people will sustain the guarantees on which the Bill is founded.

MR. WADDY (Lincolnshire, Brigg): It is evident that the whole £30,000,000 is doomed, and that every penny of it will go. A certain number of land owners will make their money, and this huge debt will be piled up upon the shoulders of the Irish people. I want to know from what source the amount is to be paid, and who is to pay it. If you say it is to be paid by the Irish people, there is only one answer which is that they mean to repudiate it. I do not, for my own part, believe that they mean to take such a course; but at any rate, the policy the Government are pursuing is a very short-sighted policy in allowing them to have all this money which is merely to pass through their hands; because if it could be shewn that it was intended to do any permanent good there is hardly a man on this side of the House who would raise his voice against the proposal. But this is not the case, and the money is merely passing through the hands of the Irish tenants who are but the conduit pipes by which this golden stream is to be conveyed to the landlords. There will have to be a reckoning some day, and unless those who have to pay are prepared to do so, the question arises who will have to bear the burden in the long run. This is a question of principle. You have already spent £10,000,000 under one Act, and have prepared yourselves for the expenditure of another £10,000,000, and now you are about to prepare for spending £30,000,000 more, or £50,000,000 altogether. I am not now speaking of the money advanced for light railways, but I say by means of this Bill and former legislation you are giving through the medium of the Irish tenants, to the landlords something like £50,000,000, and this is not all, for we are told that this is not the limit to which we must look forward—who is to pay the money if it is not obtained from the tenants? The Government do not tell us this, and all we know is that in all probability the money will have to come from the taxpayers of Great Britain, who ought not to pay it, and not from the Irish people; whereas, if it has not to come from Great Britain it will have to come with all the accumulated weight of heavy arrears some day or other from the Irish themselves, who will then see how short-sighted was the policy which led them to adopt the gift offered by a Government in whose principles and professions they ought long since to have learnt never to repose the slightest trust or confidence.

SIR G. CAMPBELL: I was very glad to hear a short time ago from the Chancellor of the Exchequer that the Government will have complete control over these advances.

MR. GOSCHEN: The hon. Baronet should not exaggerate what I said. I did not go so far as to say what the hon. Baronet has assumed. I said the Government hoped that the amount might be so increased as to carry further the system of land purchase in Ireland.

SIR G. CAMPBELL: That is quite a different thing, and the comfort I had derived from the statement of the right hon. Gentleman disappears. If we had a reasonable limit and the Treasury were to retain a sufficient control over the sum to be advanced, that would help to confirm the hope that the money

would be given to establish a class of small peasant proprietors and not create a new set of landlords, and my objections to the Bill would thereby be very much mitigated. But after all, it appears that no such control will be given by the clause we are discussing. I understand now that the Treasury is to have no control over these advances, and that, therefore, we are to have an irremovable body, in the shape of the Irish Land Commission who are to be enabled to put their hands into the public Treasury to the extent of £30,000,000 or more, the Chancellor of the Exchequer having admitted that this amount may be vastly increased, and that the Government look forward to such a probability. Thus the grants for lunatics and other purposes may be immensely increased, and we may have enormous sums added to our present liabilities. I think, therefore, that we shall be right in insisting that these advances shall in some way be limited, so that we shall only be committed to a definite expenditure. As it is it would appear that the Treasury will have no power to check the future expenditure, and that the present moribund Parliament is to be asked to sanction such a condition of things.

*MR. J. E. ELLIS: We have now been told in explicit terms that there is to be no limit to the demands to be met under this Bill, and that the Government hope they may continue to swell. The hon. Member for Sunderland (Mr. Storey) not long ago demurred to my using the expression "£30,000,000." I named that sum because I have always heard that that was to be the amount of the advances to be made under this Bill. I had heard that from the right hon. Gentleman the Chief Secretary, and have seen it stated in letters written and speeches made by him. It now turns out that the hon. Member for Sunderland was quite right in demurring to my using that phrase. In point of fact we are practically asked to give a blank cheque to the Government. Some years ago the right hon. Gentleman the Chancellor of the Exchequer said he was not willing to give a blank cheque to Lord Salisbury, and I say that we on this side of the House are equally unwilling in such a matter as this to give a blank cheque to the Government. As the right hon. Gentleman the Chancellor of the Exchequer has been so frank in the statement he has made to the Committee, I hope that other Members of the Government and their supporters will be equally frank and explicit outside this House, and that on the platforms from which they may hereafter speak, they will no longer contrast the hypothetical sum of £200,000,000 which they attributed to the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) as the probable result of his policy in 1886 with the £30,000,000 proposed by the present Government, but will openly avow that they have been supporting the passage of a Bill through this House, which it is now admitted does not in any way limit the amount that may be advanced for land purchase in Ireland. I shall have great pleasure in dividing with my hon. Friend, in order to do our best to secure that a distinct limit shall be named in this Bill.

MR. SEXTON: I should like to ask whether the Committee is to understand that in any event the *minimum* capital Stock to be issued is to be 25 times the amount of the Guarantee Fund? The Guarantee Fund is liable to fluctuations; will the capital Stock be also liable to fluctuations? We are, I think, entitled to assume that the Guarantee Fund will of necessity increase, and I wish to ask, supposing that by any change in our fiscal system we should cease to contribute to the support of the asylums and industrial schools in Ireland, what effect that will have? Supposing you issue £30,000,000 of Stock and the Guarantee Fund should become depreciated, what will be the position of affairs in that case?

MR. GOSCHEN: The hon. Member for West Belfast asks whether we will guarantee that £30,000,000 shall be advanced under any circumstances and whether we will guarantee that shall be the minimum? The Government cannot fix the £30,000,000 as the minimum capital Stock to be issued. If there were a great falling off in the contributions it would not be possible to make advances up to the £30,000,000. The hon. Member for West Belfast has suggested that changes may be made in the fiscal system which would diminish the amount of the Guarantee Fund; but this is rather an exaggerated hypothesis. If those at present responsible for the Government were to make any such

change we should be defrauding the expectations of the Irish tenants. So long as the existing relations between England and Ireland continue it is improbable that any such violent reductions as were suggested would be made. There is no danger of a serious decrease in the funds available for the guarantee, those funds having shown a tendency to increase in recent years. Some hon. Radicals, if the expression be permissible, who constantly describe the Bill as being an attempt to plunder the English taxpayers to benefit the Irish tenants, seem to think that this policy was invented by the present Government. The chemists who first gilded the pill now sit on the Front Opposition Bench. They are the patentees of this specific. The Government will not go one step beyond their security; but as long as the security is absolute they would be rather glad than otherwise for the amount advanced beyond £30,000,000, because they desire to make some thorough, immediate, and permanent impression on the tenant farmers desiring to become owners.

MR. CONYBEARE: The right hon. Gentleman the Chancellor of the Exchequer has treated those who sit on this side of the House as the patentees of this gilded pill. I think I may say that so far as we are concerned we should not have objected so much if the right hon. Gentleman and his friends had merely performed the humble task of prescribing or administering the gilded pill, because, so far as we are concerned, the pill has at any rate the merit of being an honest purgative, whereas the dose the right hon. Gentleman is now proposing to administer is only a fraudulent imitation of our patent medicine. While, on the one hand, the safeguards, guarantees, and limitations devised, in the first instance, by the Bright's clauses of the Act of 1870, and the Irish Church Disestablishment Act, the principles of which were extended by the Act of 1881, founded on the prospect of risk to the British taxpayer, it has, on the other hand, been over and over again, in this medley Bill of the right hon. Gentleman the Chief Secretary and his friends, been shown that there is no guarantee for the repayment of the £30,000,000, or whatever larger sum it may happen to be, which any sensible or reasonable person in the City of London or elsewhere would look at for a moment as a sufficient inducement for investments such as are invited by this measure. I should like to ask the right hon. Gentleman the Chancellor of the Exchequer when he expects this £30,000,000 is to be repaid? Of course we shall be told by the Government that they have provided a Sinking Fund under which it is provided that the money, capital and interest, will be repaid in a certain time. But what is the number of years within which the right hon. Gentleman imagines these £30,000,000 or whatever the amount is, will be finally repaid into the British Exchequer? I believe, having regard to the proposals for re-lending, that it will never be repaid, but that advances will go on in perpetuity. I can see no termination whatever. The Sinking Fund to which we should naturally look for payment of capital and interest at the end of a certain fixed period is to be used for a different purpose; it loses its character of a Sinking Fund, for it is to be re-lent again and again.

THE CHAIRMAN: The hon. Member is anticipating the next Amendment.

MR. CONYBEARE: I have not the slightest desire to do that, and therefore, I will postpone my argument on that point. It is a little difficult to prevent oneself from travelling beyond the immediate point in these proposals. But I may be permitted to refer to the observation of the hon. Member for South Londonderry (Mr. Lea). The hon. Member took exception to language used in criticism of the Government proposals, but I am not aware that I have used any strong language, beyond characterising proposals in the Bill as fraud, and purposeless plunder. An hon. Member laughs loudly at that, he laughs perhaps because he will have the advantage of the transaction. Our primary objection to the Bill is that it is a Bill for the benefit of the Irish landlords and we do not allow that they have any claim for anything of the kind, they have never done anything for the country they have plundered for so many years. The Bill will benefit the landlord by enhancing the price of the land he happens to have possession of, the Coercion Act preventing tenants from continuing to protect their rights. The tenant will have no benefit, he will be induced to pay an undue price for his

land, he will commit default in the future and the ultimate loss will fall upon the British taxpayer whom we represent. We have been twitted with our action, and our intentions have been questioned, but, for my own part, I have simply tried to put before the country the full significance of this measure, and I am at a loss to perceive how any supporter of the Party opposite can call our conduct inconsistent with honesty and justice, while there is scarcely one of the Party opposite who was not returned on the same platform we now occupy, and who did not give the most distinct pledge that under no circumstances would he lend himself to the proposal to risk British credit for buying out Irish landlords. How do hon. Members propose to justify themselves to their constituents if they support the Chancellor of the Exchequer in his system of unlimited advances for this purpose? There is the hon. Member for Mid Oxford (Mr. Morrell), the latest recruit of the Party opposite. Will he get up, and, in a maiden speech, to which I am sure we should all listen with the greatest interest, say that he placed this measure before his constituents, and obtained from them any mandate to support such a proposal as this, which, as we have heard from the Chancellor of the Exchequer, is to provide not £30,000,000, but an unlimited amount? Did the hon. Member give his constituents to understand that he was going to support a proposal for risking an unlimited number of millions to put money into the pockets of hon. Members, noble lords, and others who are Irish landlords?

*MR. MORRELL (Oxford, Woodstock): If the hon. Member desires me to answer his question in the form he has just put it, I would say that, in speaking to my constituents, I put before them facts, not fiction.

MR. CONYBEARE: I should be sorry if the hon. Member, whom I had the pleasure of knowing at the University in my humble undergraduate days, should suppose that I insinuated that he stated anything that was a fiction; but I desire to ascertain whether the hon. Member obtained a mandate from his constituents to come and support in this House a proposal which the Chancellor of the Exchequer has told us to-night is not one for a limited sum of £30,000,000, but for as much more as it may be possible to obtain under the complicated provisions of this Bill.

(10.10.) MR. MORTON: I understood the Chancellor of the Exchequer to say just now that the Government are anxious to advance this money on British credit to the Irish tenants, but if that is so, I should like to know why the vehement opposition in 1886 to the proposals of the right hon. Gentleman the Member for Mid Lothian? Why has he changed his mind? Was he wrong in 1886, or is he wrong now? The hon. Member for South Derry seems to object to our discussing the total amount to be advanced, but I should have thought that was just one of those questions to be discussed in Committee. Then the hon. Member said there need be no anxiety for the British taxpayer, because the British taxpayer will have an ample guarantee, but that is just what we have been unable to see. We cannot see that the guarantee is of any use whatever, or, so far as it is a guarantee at all, it is a guarantee of the Exchequer contributions. I know we shall be told the local rates must make up the amount required if we have to take the Exchequer contributions, but everybody knows that, except to a very small extent, no Government would take these contributions from the purposes for which they are intended. The guarantee is a farce, and is of no value. I cannot see why the Government should refuse this limitation to £30,000,000. I should prefer the limit at £5,000,000 or £10,000,000; but whatever it is, surely Parliament should decide definitely what the amount is to be. If £30,000,000 are not sufficient, let the Government propose some extended limit, but do not let us leave it in this uncertain manner.

(10.15.) MR. STOREY: I should be glad to know if I rightly appreciate the difference between ourselves and the Chancellor of the Exchequer. As I understand it, the proposal made by my hon. Friend is that the total sum to be advanced out of the Exchequer to buy out Irish landlords shall not exceed £30,000,000. Now, the point some of us very strongly feel is this: While we admit that if the House should vote £30,000,000, and we the minority are committed to this, we want to know whether with this amount the Government will also take the interest

and Sinking Fund and apply this year by year to the purpose of purchase under the Act. Take a specific case. Suppose, for the sake of argument, the whole sum of £30,000,000 expended in the first year and on the first day of the year. I admit that will not be the case; but assuming this for the sake of argument—£1,200,000 or 4 per cent. will be returned into the hands of the Treasury. What is to become of this? We know that $2\frac{3}{4}$ per cent. *plus* $\frac{1}{4}$ per cent. goes as interest. The Government have to pay interest to whomsoever we borrow it from. Now, $2\frac{3}{4}$ per cent. on £30,000,000 is £750,000, and 5s. per cent. goes to the county. Putting that aside so as to arrive at a round sum, that will give £900,000, and it must be evident——

THE CHAIRMAN: The hon. Gentleman is anticipating. The question of re-lending arises on the next Amendment. He must reserve himself for that.

MR. STOREY: I am well aware, Sir, that a subsequent Amendment deals with the re-lending, but my point is in reference to the limitation to £30,000,000, and if I show that additional sums under the scheme of the Government are to be lent over and above £30,000,000, then I am addressing myself to the point before the Committee. I assume that in some way, by deductions, by gathering together, a sum of £1,000,000 sterling would be passed into the Treasury and be applicable for the purposes of the Bill. Now, the point I make is this: that whilst I admit the competence of this House of Commons to commit the public to the expenditure of a sum of money which is now under our control, I dispute altogether the competence of this House to commit the future public and a future House of Commons to additional expenditure for the purposes of this Bill. I think I can support that argument very clearly by showing that under the operation of the Bill as at present drawn there will not be a sum of £30,000,000 lent once for all, nor a sum of £30,000,000 outstanding every year, but £30,000,000 *plus* £300,000, or some other sum in addition, which any hon. Gentleman can ascertain equal to the capital sum of very nearly £15,000,000 sterling. I do not care what the House of Commons, as at present constituted, may think of this, but when once the people of this country master the fact that a Tory Government which came into power pledged to resist a Bill for land purchase in Ireland at the expense of the British Exchequer, when once they learn that not only do they commit themselves to the sum of £30,000,000 which they borrow, but commit the Parliament of the future to a large sum they do not provide for but leave to the future, I believe there will be a strong expression of feeling, I may almost say of public anger, at the action of a Government which takes this course. Mine is no Party view in the blame I attach to the Government. It does not matter to me what Party brings in a Bill of this kind. I should resist any Bill, though introduced by right hon. Gentlemen who sit on the Front Bench on this side—there are few of them there now I admit—I should resist with the same animation any Bill for the purpose of pledging British credit to lay out one set of landlords and induct another set of landlords. This is no vain vaunt, though hon. Members may smile. It is a favourite taunt that we oppose this Bill from Party motives, but it is not true in fact. We opposed the Liberal Government in 1886. I know there were some on this side who supported the proposal of 1886, just as hon. Members opposite who support this Bill now opposed that of 1886. For a great many of us I can say we announced our determination to oppose any Bill for the purpose of pledging British credit to buy out Irish landlords. It cannot, therefore, be charged against us that we are animated by any feeling of personal or political antagonism to right hon. Gentlemen opposite. I will not press this line of argument, for I know it is general in character; but I thought, in view of what has been said, we should once more declare the grounds of our opposition. Holding these views, we must support this proposal to limit the total amount to be paid out of the Exchequer, and are justified in doing so by speech and vote.

(10.30.) The Committee divided:—Ayes 51; Noes 132.—(Div. List, No. 201.)

(10.39.) MR. SHAW LEFEVRE: I beg to move, in page 7, line 19, after "Guarantee Fund," to insert "provided that no such advance shall be made

without the consent of the Treasury." About half an hour ago the Chancellor of the Exchequer told us that there need be no fear in future in respect of this Bill, because all the advances would be subject to the control of the Treasury. Later on the right hon. Gentleman said he must not be misunderstood, and the control of the Treasury only applied to advances beyond the £30,000,000; that is to say, advances made under the re-lending clause, and that the original £30,000,000 would not be subject to the control of the Treasury. That raises an important point. Why should the re-lending portion be subject to Treasury control, whilst the original advances are not subject to such control? Under the Bill as it now stands, the salaries of the Land Commissioners will be placed on the Consolidated Fund, and the Commissioners will, therefore, not be under the control of the Treasury or of Parliament. Unless my Amendment be adopted, it will be quite possible for the Commissioners to play ducks and drakes with the £30,000,000 in carrying out the Act, without the Treasury or Parliament having power to stop the advances they make. This appears to me to be a serious defect in the Bill, and I therefore move this Amendment.

THE CHAIRMAN: We have passed the point at which the right hon. Gentleman proposes to introduce the Amendment. I will, therefore, put it at the end of the sub-section.

Amendment proposed,

In page 7, line 23, after the word "Fund," to insert the words "Provided that no such advance shall be made without the consent of the Treasury."—(*Mr. Shaw Lefevre.*)

Question proposed, "That those words be there inserted."

(10.43.) MR. GOSCHEN: Personally, I should be very willing that the Treasury should have the control the right hon. Gentleman proposes to give them, especially as when a new Administration came into Office the action of the Treasury would give an immediate indication whether or not they intended to carry out the policy of the Act by sanctioning new advances. On the other hand, it must be remembered that this measure involves not only questions of finance, but those of policy, and I do not think it would be desirable to place the control of the working of the Bill in the hands of a Department only, instead of those of the whole Government. At a certain point a case might be made out for the interposition of the Treasury; but it is a very different thing to say the Treasury should have the power to stop the operation of the whole Act. Surely it is advisable that the tenants in Ireland should know that a certain sum is available, and be able to make their calculations accordingly. If a new Secretary to the Treasury or a new Chancellor of the Exchequer could at any moment stop the operation of the Act, one-half its benefit might be destroyed. Consequently, we do not see our way to accept the suggestion contained in the Amendment.

(10.45.) SIR G. CAMPBELL: It is all very well to speak of the Secretary to the Treasury exercising an official control over the whole working of this Bill. The Secretary to the Treasury is the mouthpiece and servant of the Government, who are the mouthpieces and servants of this House. The broad question is, whether these irresponsible Commissioners are to have the power of disposing of illimitable millions for an unlimited number of years without the control of the Government, who are responsible to this House. The Chancellor of the Exchequer spoke reasonably in his haste a short time ago when he said the Treasury would have control.

MR. GOSCHEN: I was dealing with the speaker who had preceded me, and who had referred to the elastic character of the Bill.

SIR G. CAMPBELL: This is not a Bill for an initial expenditure of £30,000,000 only, but it may be for an expenditure of £40,000,000 or £60,000,000 or £100,000,000, and the Chancellor of the Exchequer now admits that the Treasury will have no control.

MR. GOSCHEN: The hon. Member will see that this is a matter which the House of Commons has entirely in its own hands. The £30,000,000 or £32,000,000 can only be increased to any material extent by the act of the House. I think the hon. Member will see that under no circumstances could that amount be increased to £50,000,000 or £60,000,000 without the intervention of the House or the Government.

SIR G. CAMPBELL: Did not the Chancellor of the Exchequer tell us this evening that the Probate Duty grant had already increased to a larger amount than when this Bill was drawn? I

understand that these grants may increase automatically to any extent. At all events, the principle involved in this Amendment is whether we are for an indefinite number of years to part with the control of Parliament, and to give to an irresponsible body of Irishmen the power of dipping their hands so deeply into the British Treasury for the purpose of assisting the Irish landlords.

(10.50.) COLONEL NOLAN: I hope this Amendment will not be accepted. It is often stated that Ireland is the hunting ground of the two Political Parties, but if you entrust to one of the Party the distribution of £30,000,000, you will increase their facilities for catching game. It is said this money ought to be within the control of the Secretary to the Treasury. But there is not only a Financial Secretary to the Treasury, but a Patronage Secretary, and the probability is that the latter would have a great deal to do with the distribution of the £30,000,000. Although the Patronage Secretary is generally a most affable gentleman, it is well he should not be entrusted with the control of this expenditure. Of course, the Commissioners in Ireland cannot play ducks and drakes with the money. If they did anything extraordinary, an Act or a Resolution would be passed in the House of Commons, and they could not defy steps of that kind.

(10.52.) MR. H. H. FOWLER: The hon. and gallant Gentleman must know that the Secretaries to the Treasury are subordinate officers, whose superiors are responsible to this House, so that the control of the Treasury means the control of this House. The object of the Amendment is that Parliament should have control over the lending of the money, whether it is £10,000,000, £20,000,000, or £30,000,000. No doubt if I myself were passing a Bill and wished to secure its permanent operation, I should be glad to use a Ministerial majority for the purpose; but that is not constitutional; it is not the practice of Parliament with reference to the administration of public money. The practice of Parliament is to maintain control over financial operations. It is part of their complaint against the Chancellor of the Exchequer that his desire is that this Parliament should settle many things in finance for the next 10 years, and that no future Parliament should have any voice whatever in the thing so settled. If this Bill works well and does good to Ireland, and if the repayments are punctually made, Parliament will not interfere with its working; having once committed itself to the experiment, Parliament will pause a long time before it disturbs a beneficial Act; but no financial operation ought to be taken out of the control of Parliament by any majority, whether Liberal or Tory. On these grounds I support the Amendment, which will not impair the working of the measure.

(10.56.) MR. GOSCHEN: I should like to ask the right hon. Gentleman whether the control of the House of Commons was maintained over the £50,000,000 that formed the first instalment in the Bill of the right hon. Gentleman. If not, was that Bill thoroughly unconstitutional? This Bill does not in that respect depart from the constitutional position taken by the right hon. Member for Mid Lothian, in whose Government the right hon. Member for Wolverhampton occupied a conspicuous post.

MR. H. H. FOWLER: The Bill of the right hon. Member for Mid Lothian was not even read a second time, and I am sure that if it had reached the Committee stage provisions would have been inserted to secure the control of Parliament.

(10.59.) MR. LABOUCHERE (Northampton): I have not risen to join in this pot-and-kettle fight between the two Front Benches as to their Land Purchase Bills, abominating both of them. But the £50,000,000 in the Bill of the right hon. Member for Mid Lothian was not to be lent and re-lent, and that makes a difference. The Chancellor of the Exchequer seems to imagine that the Land Commission is composed not of mortals, but of angels, who may object to any species of control. I have not that confidence in them. I am one of those who believe in Treasury control, and I must say it is somewhat indelicate on the part of gentlemen sitting on the Treasury Bench to take advantage of the absence of the First Lord of the Treasury to seek to deprive him of the full control which the Amendment will give him. In supporting the Amendment I am really standing up in defence of the absent First Lord of the Treasury. I could not be silent when I saw the

colleagues of the right hon. Gentleman take advantage of his absence—on some kind of Admiralty duties, I suppose—to deprive him of that control which we wish he should have in this matter. The main question is—shall Parliament have control over the money? I agree with my right hon. Friend that a majority of this House should have the power of controlling it. My right hon. Friend certainly says it would not be likely to interfere with the Act.

MR. H. H. FOWLER: If it were working well.

MR. LABOUCHERE: I am glad to hear the right hon. Gentleman. We know the Act will not work well, and therefore we may rely on his support when he becomes a distinguished Member of a future Cabinet. But whether the Act works well or not I do insist that future Parliaments ought not to be bound by financial arrangements made by this Parliament.

(11.2.) MR. MORTON: I understood the Chancellor of the Exchequer to say that the contributions would be under the control of this House. Surely that must be wrong, for so far as future advances are concerned, if you make local grants on account, say, of free education, you liberate automatically a large additional sum for operations under this Bill. Those contributions will not be under the control of this House. I shall support the Amendment because it will give us the control which I say this House should have.

(11.4.) MR. CONYBEARE: The measure of 1886 differed from this in various ways. The £50,000,000 proposed to be advanced on that was to be advanced not to individual tenants without any buffer between them and the State, but to Ireland as a country. All the money was to pass through the hands of an official called the Receiver General, who is responsible to, and under the control of, Parliament. But under this Bill the cash is put on the Consolidated Fund. Again, under the 1886 Bill the Sinking Fund for the reduction of capital and interest would have remained; under this Bill it will disappear altogether. I am sorry my hon. and gallant Friend the Member for North Galway is going to support the Government in its present unconstitutional course. The Chancellor of the Exchequer has opposed the Amendment on grounds wholly inadequate; he stated that it would impose undue responsibility on the Treasury. But will he pardon me for pointing out that in this matter the Treasury means the House of Commons? If the shoulders of the Treasury are not broad enough to bear this burden, I can only say that the action of the Government in trying to impose this financial burden upon the country by the force of its majority is not such as we should have expected from an upright and honourable English Government. I do not anticipate there will be any hurry to interfere with the working of the Act if it operates with a fair show of success. But if it does not have that success, then I venture to think the right hon. Gentleman himself would not insist that the Government would be wrong in attempting either to repeal it, or to let it lapse. Governments, as a rule, are too prone to accept the mischievous actions of their predecessors, and I am afraid a future Government would be only too ready to let this Act go on working, whatever its results. The next argument used by the right hon. Gentleman was that if the Amendment were accepted the tenants would be placed in a state of uncertainty by being at the mercy of the Treasury, and not knowing if the Act would be continued in operation. But surely uncertainty must prevail in any case, for no one can tell what action a future Parliament may take in regard to the Act. It would be quite within its competency to revoke the Act, and there must necessarily be this disturbing influence of uncertainty; I therefore hope the Government will accept the Amendment.

(11.14.) MR. SHAW-LEFEVRE: I can only repeat, I think it is most desirable we should retain some kind of general control over the enormous sums which it is proposed to hand over to the Land Commissioners. I do not see that the Government have answered our objections at all.

(11.15.) The Committee divided: Ayes 57; Noes 134.--(Div. List, No. 202.)

(11.26.) MR. LABOUCHERE: I have to propose a proviso at the end of the sub-section to secure annual Returns to Parliament of advances made under this sub-section.

THE CHAIRMAN: Order, order! The Committee has already decided to

have Returns made to Parliament of the advances made. It is covered by Sub-section 1.

*Mr. J. E. ELLIS: I think we should have an assurance from the Government that it is so covered, because in moving the Amendment accepted by the Government giving those Returns I had not this case in mind.

The CHAIRMAN: Order, order! The first part of Clause 1 provides that Returns of advances under the Land Purchase Act shall be made in the prescribed form. It was added at the end that quarterly Returns should be made, giving full particulars in respect of such advances.

(11.29.) Mr. LABOUCHERE: I quite admit that I was in error, but I was led into the mistake by the Chancellor of the Exchequer, who evidently did not know what had been decided, and immediately intimated that he should oppose this Return—the attitude he is ready to adopt towards every Amendment from this side of the House.

(11.30.) Mr. CONYBEARE: I wish to submit, Sir, that it is competent to move an addition that the Returns made shall show the excess over the amount under the Ashbourne Act which will be advanced under this section.

The CHAIRMAN: Order, order! I gave the hon. Member for Northampton the words of Sub-section 1, and he appears to be satisfied that what he desires to do is provided for.

(11.31.) Mr. STOREY: Now I beg to move an Amendment that a Return shall be made each year to this House by the Lord Lieutenant of the apportionment to each county. The object is apparent. Some of us are suspicious as to how this Act will be worked. We are of opinion that, as in the case of the present Acts, very little of the money will go to those parts of Ireland which need it most; it will be given to those which need it least. What control over or what knowledge of this will Parliament have unless we get some such Return as I have suggested. Absolutely none. We may, it is true, ask the Chancellor of the Exchequer to be good enough to give us Returns from time to time, but everybody knows he may decline to do so, and therefore I say that care should be taken in the Bill itself to ensure that our reasonable demands for information are satisfied. I do not think it is unreasonable to want to know the nature of the apportionment orders decreed by the Lord Lieutenant.

Amendment proposed,

In page 7, line 23, after the word "Fund," to insert the words "and a Return of this apportionment to each county shall be laid before both Houses of Parliament each year by the Lord Lieutenant."—(*Mr. Storey.*)

Question proposed, "That those words be there inserted."

(11.37.) Mr. A. J. BALFOUR: The Amendment does not make sense. The transaction in question could only occur in any county when the limit of its Guarantee Fund is nearly reached. That will be rare, and could only happen once, and the idea of bringing in an annual Return is wholly absurd on the face of it.

(11.38.) Mr. STOREY: It is by no means clear that it will occur only once, because, although the fund allotted to any county may be exhausted, a certain portion of the sum repaid will accumulate for the purpose of being re-advanced, and we want to know how and when those additional advances are made. I will take one county in which £500,000 is to be advanced. We will suppose that loans to the extent of £450,000 have been made, and the Lord Lieutenant has issued his declaration that no further advances shall be made in that county. The interest on the £450,000 will be accruing year by year, the 1 per cent. Sinking Fund will be accruing, and will be added to the original fund allocated to the county. Yet although there will, in the course of time, be a large sum ready to be advanced, the Lord Lieutenant may refuse to allow the advances to be made. We think that would be a disadvantage to some counties, and, therefore, we ask to have Returns made to Parliament which will show us the amount accrued, and enable us to judge if the intentions of the Bill are being given effect to. There is a grave suspicion in many minds that the Act may be worked for political ends. It is to be at the mercy of a political official, and it is not an unknown circumstance in Ireland to find that Acts meant for the good of the whole have been worked for the benefit of the few. I will give an illustration. In the first Light Railway Act which this House was induced to pass, the Lord Lieutenant was enabled to advance to the Board of Works a con-

siderable sum of money. When Parliament granted the money we understood it was to be applied to the poorer districts. But as a fact much of it was handed over to the rich Province of Ulster.

MR. ARTHUR BALFOUR rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The Committee divided:—Ayes 113; Noes 65.—(Div. List, No. 203.)

Question, "That those words be there inserted," accordingly put, and negatived.

Committee report Progress; to sit again upon Monday next.

EIGHT HOURS BILL.

MR. CONYBEARE (Cornwall, Camborne): I beg to move the Second Reading of this Bill.

MR. KELLY (Camberwell, N.): I object. I cannot understand why the Second Reading of a Bill should be moved without the hon. Member explaining its principle. Is the hon. Member's name on the back of the Bill?

MR. CONYBEARE: It is.

MR. KELLY: Has the hon. Member read the Bill?

MR. CONYBEARE: I have.

MR. KELLY: Is the Bill printed?

MR. CONYBEARE: It is.

Second Reading deferred till Monday next.

TRAMWAYS (IRELAND) ACT (1860) AMENDMENT BILL.—(No. 160.)

Considered in Committee.

(In the Committee.)

Clause 3.

Amendment proposed,

In page 1, line 9, after the word "company," to insert the words "or upon the application of any director of such company elected at presentment sessions, or upon the application of the grand jury of any county which has made a presentment charging any part of that county with the payment of dividends on any part of the share capital of such company."—(*Mr. Knox.*)

Question proposed, "That those words be there inserted."

*SIR E. HARLAND (Belfast, N.): I should like to know if the learned Attorney General for Ireland intends to accept the Amendment upon the Paper.

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I think the Amendments are objectionable inasmuch as they deal with companies under the Act of 1883. The present Bill does not provide for increasing the capital of such Tramway Companies. Those companies which were constituted under the Act of 1883 are under a very special code of law, and it appears to me to be extremely undesirable to clog the present Bill with this Amendment. There is another serious objection to the second proposal; any increase of capital under the Act of 1887 carries with it a Government guarantee out of funds made available under the Act of 1883. If these Amendments are persisted in I fear we cannot hope to make progress with the Bill to-night.

MR. KNOX (Cavan, W.): May I call the attention of the right hon. and learned Gentleman to the fact that the definition of the Tramways Act under this Bill is the Tramways Act as amended by the Act of 1883. I am not convinced by the right hon. and learned Gentleman's arguments that it is impossible by Amendments in this Bill to give relief to cesspayers unduly burdened by the Act of 1883. In order that the matter may be considered, I beg to move to report Progress.

THE CHAIRMAN: I ought to point out that if the introduction of this Amendment involves a further charge on the Treasury it cannot be done with this Bill.

Committee report Progress; to sit again upon Monday next.

REGISTRATION OF ELECTORS ACTS AMENDMENT BILL.—(No. 17.)

Amended for consideration of Lords Amendments.

(12.18.) MR. LEES KNOWLES (Salford, W.): I beg to move that these Amendments be now considered.

MR. T. M. HEALY (Longford, N.): Surely we ought to know what is the effect of the Amendment.

MR. LEES KNOWLES: The Bill has passed through this House; and the Amendments are purely verbal.

MR. T. M. HEALY: Does the hon. Gentleman give us that assurance?

MR. LEES KNOWLES: Yes, Sir.

MR. T. M. HEALY: I am entirely guided by the statement of the hon.

Member. But I do think we ought to have these Amendments placed before us in a definite form.

MR. LEES KNOWLES: I quite agree with the hon. Member. I should have been perfectly willing to make a statement; but as the Amendments were purely verbal, I thought there was no necessity.

MR. CONYBEARE (Cornwall, Camborne): After the explanations given, I shall offer no opposition.

Lords' Amendments considered and agreed to.

IRELAND—CASE OF MR. CULLINANE.

On the Motion for Adjournment,

(12.21.) MR. T. M. HEALY (Longford, N.): I beg to renew my protest against the treatment of Mr. John Cullinane of Bansha, who, after serving his six months' imprisonment for an offence under the Crimes Act, is found to be suffering from typhoid fever, and cannot return to his home. It was said by the Government on a former occasion that he is suffering from influenza, but that is not the case. He is suffering from prison fever, due to his prison treatment. I know no more lamentable case than this. His illness is due to the bad drainage of the prison; and I must denounce in the strongest possible terms the attempt of the prison doctor to disguise the fact that Mr. Cullinane had been attacked by typhoid fever. The doctor must have been able to tell from his temperature what was the nature of the illness. Every effort has been made to conceal the facts of this case. The Prisons Board have not replied to the most pertinent of the questions we have addressed to the Chief Secretary. This man was an honest honourable man, whose only crime was that he had stood up for his fellow citizens against an abominable oppression. For that he got six months severe prison treatment. He was removed from Clonmel to Tullamore because the Government knew they could rely on the officials there to make the imprisonment as arduous as possible. The officials have been chosen for that very reason, and now that the man has finished his term he is still kept in the squalid, inhospitable prison hospital, under a surgeon who has deceived the House as to the nature of his illness. If that surgeon had had the least humanity in his composition he, knowing the nature of the illness, might have secured Mr. Cullinane's release three days before the end of his sentence, and enabled him to be placed under the care of his friends. If, in consequence of your hang-dog treatment, he dies, then the sin of assassination will rest upon your shoulders. I hope earnestly he may regain his health and vigour, but if he does not he will have cast upon your prison policy a very deep stigma of shame.

(12.27.) MR. CONYBEARE (Cornwall, Camborne): With regard to this case, I have had some experience of the treatment of prisoners in Tullamore Gaol, and I know how abominable it is. I have in my memory now a case in which a man was literally done to death.

MR. J. M'CARTHY (Londonderry): I hope the hon. and learned Gentleman will tell us whether there is now any doubt as to the nature of the disease from which this unfortunate man and other prisoners as well are suffering.

*THE ATTORNEY GENERAL FOR IRELAND (MR. MADDEN, Dublin University): We have no notice of that question.

MR. T. M. HEALY: I have asked it every day.

*MR. MADDEN: The Chief Secretary has answered, and will be prepared to answer, all questions on the subject. It would appear that the doctor did mistake the earlier symptoms of typhoid fever for those of influenza. It was an unfortunate mistake, but it cannot be alleged that inaccurate information has been wilfully given.

(12.30.) MR. KEAY (Elgin and Nairn): Is it a fact there are seven or eight persons in Tullamore Gaol suffering from typhoid fever?

*MR. MADDEN: At the time we heard that Mr. Cullinane was attacked as supposed by influenza we were told that other persons were suffering similarly. I cannot say whether a similar mistake was made in their case.

(12.31.) MR. CHANCE (Kilkenny, S.): Is it true that that portion of the gaol in which Mr. Cullinane was attacked is allotted mainly to Crimes Act prisoners?

MR. MADDEN: I must ask for notice of that question.

House adjourned at half after Twelve o'clock till Monday next.

HOUSE OF LORDS,

Monday, 11th May, 1891.

BERKELEY PEERAGE.

Report from the Committee for Privileges, That it is the opinion of this Committee that the Superintendent Registrar of the District of Staines, Middlesex, should be ordered to attend the next meeting of the Committee, and that he should bring with him the original register of deaths in the district of Staines, Middlesex, showing the death on the 27th August 1882 of Thomas Moreton Fitzhardinge Berkeley; made, and agreed to, and ordered accordingly.

Petition of the Right Hon. Francis William Fitzhardinge, Baron Fitzhardinge, for leave, on the consideration of his Petition to Her Majesty by the Committee for Privileges, to use the evidence adduced in the case of the claim of William Fitzhardinge Berkeley to the Earldom of Berkeley in 1811, and upon the reference in 1799 of the Earl of Berkeley's pedigree to the Committee for Privileges, and that he may be relieved from the expense of reprinting such evidence; read, and referred to the Committee for Privileges.

COMMISSION.

The following Bills received the Royal Assent:—

1. Registration of Certain Writs (Scotland).
2. Middlesex Registry.
3. Electoral Disabilities Removal.
4. Public Bodies (Provisional Orders).
5. Taxes (Regulation of Remuneration).
6. Army Schools.
7. Merchandise Marks.
8. London (City) Trial of Civil Causes.
9. Charities (Recovery).

REGISTRATION OF ELECTORS ACTS AMENDMENT BILL.—(No. 95.)

Returned from the Commons with the Amendments agreed to.

THE MANIPUR DISASTER.

QUESTION—OBSERVATIONS.

*THE MARQUESS OF RIPON: My Lords, seeing the noble Viscount the Secretary of State for India in his place, I am anxious to put a question to him in regard to the recent occurrences at Manipur. I find a statement in the *St. James's Gazette* this evening, which is headed "Blood Money offered," and which in some of the placards which have appeared in the streets is referred to as "a disgraceful proclamation," the statement being that

"The Chief Commissioner"—

meaning, of course, the Chief Commissioner of Assam—

"Has issued a proclamation putting heavy sums on the heads of the Regent, the Senaputty, and those of the Councillors and Generals who were concerned in the outbreak."

It is, I think, very desirable that that sort of statement should not go forth to the public uncontradicted if it is not correct, and I should be glad if the noble Viscount will state whether he has any information upon the subject?

*THE SECRETARY OF STATE FOR INDIA (Viscount CROSS): I have no information on the subject, and have not even seen the paragraph mentioned by the noble Marquess. I am not aware whether a proclamation has been issued offering certain sums for taking these people alive, but I am quite sure the Viceroy would never have countenanced for a single moment such a proclamation as has been hinted at in the statement quoted by the noble Marquess. As this question has been asked on the matter I should like to state that full Papers on the subject of the Manipur occurrences will be laid on the Table as soon as they are printed. They would have been produced already, and I hope they will be ready to-morrow, but a long Despatch has just come in by this mail which ought, I think, to be added to them, which has caused a delay of 24 hours. That is the only reason why they have not been already produced to the House.

THE WHITSUNTIDE RECESS.

QUESTIONS—OBSERVATIONS.

*THE EARL OF KIMBERLEY: May I ask the noble Marquess opposite if he

can inform us when he proposes the House should adjourn for the Whitsuntide Vacation, and for how long?

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): That is a matter which generally interests nobody less than Her Majesty's Ministers; but to-morrow would, I imagine, be in accordance with precedent, and unless there is a great anxiety to return to our labours, I think the following Tuesday fortnight would be a sufficiently early day for our re-assembling.

*THE EARL OF KIMBERLEY: Then we adjourn to-morrow?

THE MARQUESS OF SALISBURY: To-morrow.

THE EGYPTIAN EXILES IN CEYLON.

OBSERVATIONS.

*EARL DE LA WARR, in rising to call attention to the Correspondence which had been laid on the Table of the House relating to the Egyptian exiles in Ceylon, said: My Lords, in asking your attention for a few moments to the Correspondence mentioned in the Notice which stands in my name, I must ask your Lordships to refer for a moment to a statement made by the noble Marquess at the head of Her Majesty's Government a short time ago relative to this subject in answer to a question which I had put with regard to the production of Papers. The noble Marquess said, as reported, that—

"The crime for which Arabi Pacha was tried, and for which he was condemned to death, was not that for fighting for the independence of his country, but for rebelling—he being a soldier—against his Sovereign; he was condemned for military mutiny, and if he had been a less distinguished person he would most undoubtedly have been shot."

Now, it so happens that I was at Alexandria not very long after the bombardment of the forts there, and I cannot but think that the noble Marquess must be aware of the fact, which was then well known, that Arabi Pacha was in the Government of the Khedive at that time, that he had received orders relating to firing upon the British ships from the Khedive, and also that he was acting under instructions from the Sultan of Turkey. I believe I am right in saying that at the time of the bombardment of the forts of Alexandria Arabi Pacha was Minister of War in Egypt. I do not wish to enter further upon the question of the justice of the sentence which was passed upon Arabi and his companions, but I cannot suppose for a moment that it was intended that he and his companions should be sent to a place which in all probability would involve a lingering death. I believe that they would have much preferred the honourable death of a soldier endeavouring to protect the interests and liberty of his country, inspired with the noble sentiment of the Roman poet—

"Dulce et decorum est pro patriâ mori."

But, my Lords, I think I can show, by the Correspondence which is in your Lordships' hands, that the carrying out of this sentence has resulted, and in all probability will still further result, in causing the lingering death of those who are now suffering from the effects of the climate. When I called your Lordships' attention a short time ago to the case of Arabi Pacha and his companions, and asked for information respecting them, the noble Marquess at the head of Her Majesty's Government said that a Medical Board had been appointed last autumn, and had inquired into the state of health of the exiles, and their Report was that—

"The climate of Ceylon had exercised no injurious effect upon the health of the banished persons."

It appears that this Board sat on the 4th of October, 1890, and after an examination of the exiles gave their opinion that the climate of Ceylon has had no injurious effect upon them; but previous to this a Memorial had been forwarded by the exiles themselves to the noble Marquess, which reached the Foreign Office on the 26th of June, 1890, in which they said—

"The Memorialists have now been seven years in exile in Ceylon, and though they have been invariably treated with kindness during that period, yet the health of all of them, as proved by the following certificates from medical men of well-known position in Ceylon, has suffered very severely from the dampness of the climate."

I wish to point out to your Lordships that the certificates are signed by medical men in Ceylon, though not in any way connected with the Government, yet men who, it appears, are well known and in large practice. The gentlemen who signed

the certificates to which I wish to refer your Lordships had been several years, when they gave those certificates—one, I think, for four years, and another for a longer time—in attendance upon the exiles and their families. They had, therefore, full opportunity during a considerable time of knowing what effects the climate of Ceylon had produced upon the health of these exiles. These certificates being in your Lordships' hands, you will be able to refer to the documents themselves better than I can explain them. You will find on page 2, Dr. Dort, I believe an English physician, says—

"For the last four years, during which I have been engaged as medical attendant on the family of Arabi Pacha, I have observed, and it has always been noticeable in the case of several other patients of mine among the Egyptian exiles, a marked deterioration in health clearly traceable to the effects of the climate of Ceylon, and quite independent of all other conditions or individual predisposition."

In conclusion, he says—

"I am firmly convinced that the climate of Ceylon is prejudicial to his health and that of his family, and I cannot but think that a prolonged residence in such an unsuitable climate in his present state of health must undermine his constitution, and affect his chances of life most seriously."

This is dated "Colombo, March 1st, 1890." Dr. Dort again, on page 3, speaking of the family of another of the exiles, Mahmood Sami Pacha, says—

"I have no hesitation in declaring that I consider the climate of Ceylon, with its great divisional variations of temperature, its dampness, its very frequent changes of weather, its excessive humidity and trying winds, has had a most exhausting and enervating effect on the family, and has rendered it necessary to change their residence frequently at great inconvenience and expense." (Dated Colombo, March 10, 1890.)

Dr. Dort again says he has attended the family of Yacoob Sami Pacha—

"I certify that I have attended him and some of the members of his family since his arrival in Ceylon, and have been frequently consulted by them for general debility and fever, neuralgic pains and rheumatism, due less to constitutional and accidental causes than to the ill effects of the climate of Ceylon on their health, especially on that of the ladies of the family." (Dated March 12, 1890.)

Then Dr. Geysell, a physician of Edinburgh, certifies that Toulba Ismet Pacha, another of the exiles, has been suffering from frequent attacks of catarrhal asthma and neuralgia during the last few years, and that he has been under his treatment. He says—

"I am of opinion that the climate of Ceylon is too damp for him to reside in permanently. The last attack of neuralgia lasted nearly a month; he is left sallow and weak, and his predisposition to colds is marked. His family, too, are victims to climatic influences; his wife was brought to death's door, and his only child suffers frequently from malarial fever." (Dated Ceylon, March 3, 1890.)

I come now to a certificate as regards Abdul-al-Helmi Pacha, about whom I shall have a few words to say. This, again, is from Dr. Geysell, certifying that—

"Abdul-al-Helmi Pacha has been under my treatment off and on for the last two years for rheumatism and bronchial asthma. I am of opinion that the climate of Ceylon does not agree with him, and that the humidity of the atmosphere, which is a marked feature of the climate of Ceylon, is to blame for these attacks. I have noticed with much concern the effect of the climate upon Abdul Pacha's health, owing to recurring attacks of torpidity of the liver, asthma, and rheumatism. I had advised him to change his residence to the seaside, and I found that even the climate of the seaside has not prevented a recurrence of the asthma. I fear that in a year or so Abdul-al-Helmi Pacha will be a confirmed asthmatic, and his life in danger if he continues to reside in Ceylon." (Dated March 3, 1890.)

These, my Lords, are some of the certificates of medical men who have attended the Egyptian exiles and their families in Ceylon for some years. I will not trouble you further. I think I have said enough to establish, what I endeavoured to show on a former occasion, and which I feel now quite as strongly as before—that is, that the climate of Ceylon has had the effect of seriously damaging the health of the exiles who were sent to the Island, and who have been kept there against the strong testimony of medical men. I will only refer once more to the certificate with regard to one of them, Abdul-al-Helmi Pacha, in which it is said, in a year or so, unless he changes his residence, death will probably ensue. He fears that in a comparatively short time his patient will be a confirmed asthmatic, and that his life is endangered if he continues to reside in Ceylon. I regret to state that it is now known to the Colonial Department that this effect, so truly forseen, has taken place. The unfortunate exile Abdul Pacha died of fever a short time ago. I cannot give your Lordships

the exact date, but the information which has reached me is to the effect that he died a little more than one year from the time that the medical certificate which I have read was given. The information which reached me was to this effect—

"The Pacha has passed away peacefully, but under specially sad circumstances, for only two months ago his wife and family started on a visit to Egypt."

This, I think, speaks for itself, and I need not trouble your Lordships further in calling attention to the Correspondence on this subject.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, in reference to this case I have to speak of matters which were decided not by the Government with which I am connected, but my predecessors, and I must necessarily rely on the information which was then given by authorised bodies who are above suspicion. My noble Friend has gone into the character of Arabi Pacha and his history, and he appears to be convinced that Arabi was throughout a loyal and devoted soldier of the Khedive. I hardly think this is an occasion on which it is desirable to discuss that question in detail, and I do not know that I am precisely the person whose business it is to enter upon it; but I can only say to my noble Friend that, as far as the history of that time came to me, I believe that Arabi Pacha, being a soldier, broke his military oath and exposed himself to the punishment of a soldier who is in mutiny, that he was condemned by an impartial tribunal, and that he was treated at the instance of the Government of Her Majesty of that day with great leniency by the Khedive. I think, therefore, that in respect to what is past we have, as a nation, nothing to reproach ourselves with, and nothing to retract. With respect to the present, I again must take my stand upon authorised testimony—the only testimony which we can safely follow. The question of the health of Arabi Pacha was submitted to a board of medical officers, consisting of Mr. Kinsey, the Principal Civil Medical Officer and Inspector General of Hospitals in Ceylon; Brigade Surgeon W. C. Robinson, of the Army Medical Staff, and Senior Military Medical Officer; and Dr. Macdonald, Medical Superintendent of the General Hospital of Colombo, and Professor of Medicine in the Ceylon Medical College. That Board having assembled and carefully examined Arabi Pacha, and having perused the documents relating to his case, found that he was 50 years old, of which eight years had been spent in Ceylon; and they were of opinion that the climate of Ceylon had had no injurious effect upon his health. A like certificate was signed on the same day by the members of the Board with regard to the other persons detained. My noble Friend tells us, however, that there are other doctors who are of a different opinion. Well, my Lords, that is not an entirely novel fact in human experience. I remember the late Sir G. Cornewall Lewis saying that if you got an expert in any department of knowledge to depose to any fact, you could always find another expert who would depose exactly the contrary. I do not know whether that is a pessimist view of expert nature or not, but certainly the fact that doctors differ is not a sufficiently strange thing to induce me to withhold my faith from this very authoritative and strongly-supported statement. At the same time, an offer has been made, I believe, to change the place of these gentlemen's detention—they have been offered Zeila, but I am informed that they see no advantage in the change. But however that may be, the question arises—Is there any necessity for their remaining in Ceylon? There, again, it is not a question exactly of what they wish or what they think, it is a question of what ought to be done in the interest of the Egyptian Government, with whose action we interfered when we rescued these men from a military sentence; and I find that the Government of the Khedive have very distinctly stated that they do not approve of the return of these men to Egypt. A Memorandum by Riaz Pacha, written from the Presidency of the Council of Ministers, Cairo, runs as follows:—

"His Highness the Khedive, after having read Sir William Gregory's Memorandum relating to the transfer to Egypt of the Ceylon exiles, has declared that it is impossible for him to consent to such transfer in view of the very bad effect which their presence in the country would produce!"

I agree in that opinion myself, but even

if I did not agree with it, yet, considering the position of Egypt and our position in respect to it, I should hesitate very much before going against the deliberate opinion formed by the authorities who are responsible for the peace of Egypt. I am afraid, therefore, I can hold out no hope to my noble Friend at present that any change will be made.

COPYRIGHT BILL [H.L.]—(No. 7.)

SECOND READING.

Order of the Day for the Second Reading, read.

*LORD MONKSWELL: My Lords, the House will readily believe that I feel myself very unequal to the task imposed upon me of moving the Second Reading of this Bill. I am, however, sustained by two convictions—first of all, that there is no body of men in the Kingdom towards whom your Lordships entertain a more friendly feeling than towards those who are eminent in literature and art whom this Bill seeks to benefit; and, secondly, I am sustained by the conviction that whatever errors I may make, whether of omission or of commission, will be set right by subsequent speakers. This Bill is brought up by the Society of Authors. This Society of Authors is a society which any man may well be proud to serve. It has for its President Lord Tennyson, and for its Chairman Mr. Walter Besant, and among its members are a large number of persons very eminent in literature. I wish to say, on behalf of the Society of Authors, that this is not an authors' Bill (although it is fathered by the society) in the sense that it seeks to set up what may be called the extreme rights. Nor, my Lords, is it an authors' Bill in another sense. It is not an authors' Bill as being confined to literary copyright. The Bill deals with every kind of copyright—literary, artistic, and musical. If I were not informed to the contrary, I should have thought this Bill had been put forward rather by a Society of Artists than by a Society of Authors, for whereas the literary part of the Bill strays very little beyond the recommendations of the Commission, it is perfectly true that, as regards the artistic part, there are conditions in this Bill which are not authorised by the Report of the Royal Commission which sat in 1876 and 1877, and of which the Duke of Rutland was Chairman, and upon which Lord Knutsford and Lord Herschell had seats. I hope to be able to persuade you that the artistic part of the Bill is right. I only allude to the matter now for the purpose of showing that the Society of Authors are not subject to the reproach of seeking to legislate only in their own interests. This Bill is supported by the most eminent names in literature and art, including, of course, Sir Frederick Leighton, and by publishers. In point of form, this Bill has been drafted under the immediate supervision of Sir Frederic Pollock, than whom I may say there is no better draftsman in England, and no one more intimately conversant with the puzzling details of the Law of Copyright. I had hoped that my task, though it could not have been easy, would, at all events, have been short. I had hoped that all I should have been called upon to do would have been to explain the main features of this Bill; but the opposition of Her Majesty's Government to this Bill, of which I have been warned, but for which, I confess, I cannot find a reason, necessitates my taking a somewhat different course. That opposition necessitates that I should dwell with some persistency on the shockingly discreditable state of the present Law of Copyright. Since the first Statute on the subject of copyright was passed in the time of Queen Anne, the Law of Copyright seems to have been the sport of some malignant demon as it were, and we find that at present the Law of Copyright is contained in 18 Acts of Parliament, and in some ill-defined Common Law principles. Well, I think it will be admitted that here are all the materials for a glorious muddle, and as Statute after Statute was passed the confusion grew worse confounded. All the usual artifices which are employed by draftsmen to make Acts of Parliament unintelligible have, it appears to me, been made use of in this case, and some artifices which fortunately are not usual. Statutes have been incorporated by reference; some of them have been drawn in the most slovenly possible manner, some of them contain enormously long rigmarole sentences, in the middle of which, as Sir James Stephen has remarked of one of

them "the draftsman seems to have lost his way." This subject of copyright has been dealt with at different times piecemeal in different stages and in different conditions of public opinion; and the result is that there are arbitrary distinctions in the law which it is impossible to defend. To crown all, some of these Acts have been drafted by persons who have shown an absolutely astounding ignorance of the law which they sought to modify. Now, I have said that the muddle began with the Statute of Anne. One would have thought it was not very easy to begin with a muddle, because that was the first Statute passed, but the muddle began in this way, that the Statute of Anne was apparently passed by a Legislature who had evidently not the slightest idea that there was any Law of Copyright in existence at all, and it so happens that it was more than 60 years before the lawyers could decide whether the Common Law of Copyright was superseded by the Statute of Anne, or whether the Statute of Anne was in addition to the Common Law rights. At least this question was finally settled by the House of Lords, when it was settled, on the opinion of six Judges against five, in favour of the former view; but Lord Mansfield, who was one of the Judges, being a Member of your Lordships' House, did not give his opinion with the other Judges; if he had, the opinion of the Bench would have been absolutely equally divided, as he agreed with the minority. One would have thought that the Legislature would have taken warning by that, and that after an episode of that sort, draftsmen would have been employed, who at all events, knew something of the law which they sought to modify by Statute. But we find that the draftsmen in the time of Queen Victoria show absolutely and precisely the same ignorance as the draftsmen of the time of Queen Anne, and that they fell into precisely the same error as the draftsmen of the former reign. In 1842 an Act of Parliament was passed which is still the law, and is still the principal Act with regard to copyright. That Act dealt with, among other matters, dramatic copyright. It is not decided to this day whether the Act takes away the Common Law right previously subsisting in a dramatic author to prevent in perpetuity the publication of a play acted in public but not printed. It is perfectly clear that the draftsman was absolutely ignorant of the Common Law, because the Act recites the intention of the Legislature to extend dramatic copyright; but if the Common Law is taken into consideration, at all events in one particular direction, the Act of Parliament, instead of extending the then Law of Copyright, actually cut it down. There is another matter about the Act of 1842, which is this: the draftsman actually misunderstood the terms of an Act of Parliament which he purported to amend; of course the draftsmen in the time of Queen Anne could not do that, because there was no Statute in existence then on the subject to amend. Now, my Lords, I come to the Act of 1862. That was the first Act giving statutory copyright to works of Fine Art, and here we find the draftsman again falling into exactly the same error as his predecessors. The Preamble of the Act recites as follows:—"Whereas authors of paintings, &c., have no copyright." Now, that Preamble has given rise to a good deal of trouble, because, as a matter of fact, "authors of paintings," &c., had by the Common Law a perpetual copyright to prevent anybody copying their pictures and drawings before publication, and, at all events, two of the learned Judges, Sir James Stephen and Mr. Justice Day, have expressed doubts as to whether or not the Common Law right is, to some extent, cut down by that Statute. Now I come to the Copyright Commission, which sat to take evidence for just a year, from May 1876 to May 1877. The Report of that Commission commented in 1878 in scathing terms on the chaotic and unsatisfactory state of the Law of Copyright. The Commissioners, after observing that

> "The Common Law principles which lie at the root of the law have never been settled,"

proceed in paragraph 9 to fall foul of the Statute Law in the following terms:—

> "The 14 Acts of Parliament which deal with the subject were passed at different times between 1735 and 1875. They are drawn in different styles, and some are drawn so as to be hardly intelligible. Obscurity of style, however, is only one of the defects of these Acts. Their arrangement is often worse than their style. Of this the Copyright Act of 1842 is a conspicuous instance."

This Report is studded with examples of the uncertainty of the law. Take paragraph 31. There the Commissioners complain that it is uncertain what constitutes publication, and they observe, in paragraph 71—

"We have carefully considered the Statute Law now in force with reference to music and the drama; but from the way in which certain Acts of Parliament have been framed and incorporated by reference, considerable doubt arises in our minds on various important points connected with these subjects."

But the uncertainty of the law is not its only defect; it is also full of arbitrary distinctions. Paragraphs 10 and 11 of the Report are as follows:—

"10. The piecemeal way in which the subject has been dealt with affords the only possible explanation of a number of apparently arbitrary distinctions between the provisions made upon matters which would seem to be of the same nature. Thus—(*a*) The term of copyright in books, and in printed and published dramatic pieces and music, is the life of the author and seven years after his death, or 42 years from the date of publication, whichever is the longer. (*b*) The term of copyright in music not printed and published but publicly performed is doubtful, and may perhaps be perpetual. (*c*) The term of copyright in a lecture not printed and published but publicly delivered is wholly uncertain. The term of copyright in a lecture printed and published is the longer of the two periods of 28 years and the life of the author. It may, perhaps, be doubted whether the term of copyright in a book consisting of a collection of lectures would differ from the term of copyright in other books. (*d*) The term of copyright in engravings, &c., is 28 years from publication; in paintings, &c., the artist's life and seven years; in sculpture, 14 years from the first 'putting forth or publishing' of the work (an indefinite phrase), 14 years more being given to the sculptor if he is living at the end of the first term."

"11. Other singular distinctions exist as to the law relating to registration of copyrights. No system of registration is provided for dramatic copyright, or for copyright in lectures or engravings. Such a system is provided for copyright in books and paintings, but its effect varies. Registration must in either case precede the taking of legal proceedings for an infringement of copyright, but after registration the owner of copyright in a book may, while the owner of copyright in a painting may not, sue the persons who infringed his copyright before registration."

Those are only selections from a mass of defects mentioned by the Commissioners. For instance, in paragraph 102, the Commissioners observe that the effect of a proviso in the Fine Arts Act of 1862 is, that if an artist sells a picture without a written agreement as to the copyright, the copyright is altogether lost—the artist loses it and the buyer does not get it. This proviso, the Commissioners observed,

"Was apparently added to the Bill without sufficient consideration during its passage through Parliament."

One of the Commissioners, Sir James Stephen, took upon himself the arduous task of codifying the law of copyright, and his Code is published at the end of the Report. The notes to the Code are, perhaps, more instructive than the Code itself in regard to the disgraceful state of the law. As to two Acts dealing with penalties for pirating prints and engravings, Sir James Stephen complains that they are "inexpressibly puzzling," and he adds—

"I have compared the two Acts line by line, and I am by no means sure that I have got the result correctly. The sense escapes in a cloud of words."

One sentence of 55 lines in one Act qualifies in two minute particulars a sentence of 61 lines in the other Act. In addition to these remarks of the Commissioners, I should like to add to what they have said one word as to the present deadlock in the case of the law dealing with the drama, and I would give, as an illustration, the *Little Lord Fauntleroy* case. Anybody may dramatise anybody else's novel, and having dramatised that novel the law does not object to his getting that drama acted, but though he may dramatise the novel he may not publish the drama, because if he does, that is an infringement of the novelists' copyright. But here the difficulty comes in: the law says before you can act a drama you must give a copy to the Lord Chamberlain, but you cannot give a copy to the Lord Chamberlain, because that would be to infringe the copyright in the novelist. I venture to think this is a most discreditable state of the law. It reminds me of the story which Lord Eldon used to tell of an Act of Parliament. He said that an Act of Parliament had once been passed to build a new prison out of the remains of an old prison, but it contained a clause "that the old prison was not to be touched until the new prison was built." That is the sort of way in which we legislate. Now, my Lords, copyright may be roughly divided into literary copyright and artistic copyright. First of all, as there are several noble Lords

here who are not learned in the law, I may perhaps tell them, which will no doubt surprise them very much, that ever since this Report of 1878 was issued, nothing has been done to amend the Law of Copyright except in two particulars. International copyright has been dealt with under the International Convention of Berne ; and, thanks to the exertions of a gentleman known as the "Musical Hawk," to twist a monstrous law to his own advantage, the most intolerable features in the law of musical copyright have been set right. But with those exceptions nothing has been done, though abortive Bills have been from time to time introduced, and upon those Bills the Bill which is now before the House is to a great extent based. As regards literary copyright, the principal Amendment in this Bill is to abolish the necessity, in the case of an alien, of residence in this country in order to get copyright. That is a point which has always been doubtful, and the consequence is that when an American wishes to get English copyright he has to undertake a journey to Canada, a journey which I think he might well be spared. It is necessary, whatever happens to this Bill, that the law should be altered in this respect, because if the law is not altered in this respect the American copyright possibly will not apply to England. Therefore, whatever may be done by your Lordships with regard to this Bill, I would urge that if we want to get for certain the benefit of American copyright, that the law should be amended in this particular as to residence before the 1st of July, when the American Copyright Act comes into operation. It is necessary that the Bill should be passed before then with regard to residence on English soil, in order to get copyright, for unless that is done English authors may not be enabled to take advantage of that Act. Whatever happens to this Bill it is eminently desirable that a Bill dealing with this point should be passed with all convenient speed. I may observe with regard to residence that that is one of the recommendations of the Commissioners. With regard to the duration of copyright the recommendations of the Commissioners are adhered to. It now endures for 42 years from publication, or for the author's life, and seven years after his death, whichever is the longer period. The Commissioners suggest, and this Bill proposes, to substitute the life of the author, and in every case a term of 30 years after his death. There are two advantages in that, one of which is that it is not very easy sometimes to tell when a work is published, but it is usually easy enough to know when an author is dead. And there is another thing, the copyrights of an author's works keep dropping in one after another under present conditions; but if the law is altered in accordance with the suggestion of the Commissioners, the whole of a man's works will cease to be copyright at the same time, and a complete edition of his works might then be published. At present it might be 42 years from the death of the author before a complete non-copyright edition of his works can be published. There are only three countries where the term is shorter — Belgium, Holland, and Greece ; it is the same as that which obtains in Germany, and there are many other European countries where the term is a great deal longer. Novelists are to have the exclusive right to dramatise their novels, and conversely the authors of dramas will have the exclusive right to convert their dramas into novels. Abridgment is recognised for the first time as part of copyright, and the period after which the author of an article or essay in a collective work (other than an Encyclopædia) is to be entitled to the right of separate publication is reduced—it will be after three years instead of 28 years, as at present. So far we march with the Report of the Commission, but in one important respect, no doubt, the Report of the Commission with regard to literary copyright has been departed from. The Report of the Commission recommends that non-registration within a certain time shall entail an absolute forfeiture of the right to sue. We suggest that there shall be no absolute forfeiture, but that on payment of a penalty the right to sue shall revive. In one respect, no doubt, the Bill fails altogether to carry into effect the recommendations of the Commission, and that is as regards setting up a system of licensing in the colonies. No doubt this is an exceedingly difficult question. There is a system of licensing, similar to

that which the Commission suggests, now in existence in Canada under a Canadian Act passed in 1875, and ratified by the Imperial Legislature. But by that Act the Canadians were only given the power of re-publishing copyright works of English authors with the consent of the authors. That is a vital reservation and apparently it will not satisfy the colonists. There is another mode of obtaining English copyright works besides by re-publication. The other means open to the colonists of obtaining English copyright books at less than copyright prices is for them to obtain an Order in Council empowering them, on certain conditions, to import into the colony American reprints of English books, or the Tauchnitz Editions, or what not. The Commissioners were not altogether satisfied with the conditions laid down in the Foreign Reprints Act, and they suggested that it should be re-enacted with more stringent conditions. They suggest that some system of licensing should be set up in the colonies. We do not propose to interfere in any way with the Canadian Act of 1875, and only to a very slight extent with the Foreign Reprints Act; but the Society of Authors have found themselves unable to follow the recommendations of the Commissioners in favour of licensing. As to Fine Art copyright, the Bill does not compel registration either of paintings or of sculptures at any time. The Commissioners suggested that registration should be compulsory after the painter or sculptor had parted with the copyright in his works, and not before. But we find that the painter and the sculptor very strongly object to any system of registration at all, because they say it is so much the custom to keep touching up their works that none of them can tell when they are finished. Again, the Bill resolves a very moot point in favour of the artists—a point which the Commission acknowledge they had the greatest difficulty in determining, namely, whether the copyright in a painting or sculpture should, on such painting or sculpture being sold, remain with the artist in the absence of any agreement, or pass to the buyer. I hope that the strong and unanimous desire of the artists will be allowed to outweigh the very hesitating expression of opinion on the part of the Commission which was, I believe, only the opinion of a bare majority, and that the law may be altered in favour of the artists, particularly as the Bill introduces two important modifications in the copyright it proposes to confer upon the artists. A painter is not allowed, without the consent of the owner of the picture, to reproduce, by any art or in any size, a portrait painted on commission, nor may the painter, without the like consent, make a *replica*—that is, a copy of the same size and by the same art—of any picture he has sold. As to the rest of the Bill, the provisions as to Fine Art copyright follow the recommendations of the Commission by making it an infringement of copyright to copy any design in one art—say painting—by any design in another art—say sculpture. Artistic copyright is made to endure for the same term as literary copyright, and stringent provisions are inserted for the protection of the copyright owner. As to prints and photographs, copyright is only given for 30 years, and the registration of all prints is required. It is expressly provided that no photograph ordered on commission is to be exhibited without the leave of the person ordering the photograph. A Fine Arts Copyright Bill, almost identical with this Bill, passed a Second Reading in the Commons in 1882, but it failed to pass through Committee, principally owing to the opposition of Sir H. D. Wolff, one of the Copyright Commissioners, who took the objection, since removed by the conclusion of the Berne Convention in 1886, that there should be no legislation on copyright in this country until some arrangement had been made with foreign countries on the subject. The Bill of 1882 was both a consolidating and amending measure, so also was a Bill brought in by Lord Herschell in 1878, and another by the present Duke of Rutland in 1879. I may add that this Bill proposes, in accordance with the recommendations of the Commission, to set up new registration offices. This proposal is, however, merely tentative, and it is believed that the present offices in Stationers' Hall will be sufficient for all the requirements of the Bill. I should like to make one observation with regard to the American Copyright Act which has

just been passed. That Act contains, as your Lordships are aware, a provision that every book, to obtain American copyright, must have two copies printed from type set in the United States. This provision has greatly alarmed our printers here, who seem afraid that English books copyrighted in America will have to be printed there exclusively. I think, although their alarm is not altogether unfounded, it is very much exaggerated. As Sir Frederick Pollock pointed out in an article in the *Contemporary Review* for April, the loss of time and difficulties in the way of absolutely simultaneous publication will lead to printing in both countries. Sir Frederick writes—

"Time and risk would clearly be saved by printing in England first, and sending out corrected sheets to be reprinted in America."

If this be so, there can be no reason for resorting to the retaliatory legislation which has been suggested. It is gratifying to find that the most scathing criticism of the printing provisions of the American Act come from the Americans themselves. The New York *Nation*, a paper that, I believe, enjoys a very enviable reputation, objects to the printing clause as—

"A piece of tariff barbarism no more respectable than an Act obliging foreigners on landing here to provide themselves with a suit of American-made clothes, in order to entitle them to the services of the police, or to access to our Courts of Justice . . . to put any condition on a man's right to the protection of the law for his person or property beyond honesty and peaceable behaviour, is unworthy of a civilised Government."

It is, however, only fair to the Americans to add, as the *Times* observed on the 17th of March, that—

"In some respects, at least, the Act is better than had been expected. . . In future, etchings and engravings may be copyrighted and imported on payment of the existing duty."

This change in the law, the *Times* thought—

"Ought to make a very great difference, indeed, in the value of artistic copyrights and in that of the engraver's skill."

Upon that, I may observe that it would seem that the clause as to printing does not apply to musical copyright. My Lords, I have now taken the House through the main provisions of this Bill. There are many provisions in it which time does not allow me to touch upon. I now propose to say a few words, in conclusion, by way of answer in anticipation to some of the objections that may possibly be urged against this Bill. Your Lordships may possibly be told by the noble and learned Lord on the Woolsack that the Law of Copyright bristles with points of difficulty. I am not concerned to deny that this is so. But surely the difficulty of a question is not to be urged as a reason why your Lordships should not attempt to deal with it. Your Lordships have plenty of time and leisure to take up this question, and I do not see why you should not do so. A Judge cannot refuse to decide a cause on the ground that it bristles with points of difficulty, and surely, if I can make out a strong case for legislation, your Lordships are not absolved from the duties of legislation on account of the difficulties involved. I may, perhaps, be told that this Bill attempts too much—that the law ought first to be consolidated, and then amended by a separate measure. In some cases that may be the most convenient plan to adopt, but we must remember that the law down to 1878 has already been codified by Sir James Stephen. But, my Lords, I do not stand upon that Code. I say that the present law is so cram full of utterly indefensible arbitrary distinctions, that to put all of them side by side within the four corners of a consolidating Statute would be to produce an Act that would be the laughing-stock of the youngest law student. The law is in such a state that we cannot for very shame consolidate without amending it, and that has been the opinion of every copyright reformer who has introduced Bills since the Report of the Commission, including the Duke of Rutland and the noble and learned Lord (Lord Herschell). Then, I may be told by the noble Lord opposite (Lord Knutsford) that he is unable to make up his mind what to do as to a licensing system for the colonies. On this point the Society of Authors sympathises deeply with Lord Knutsford. They also have found themselves unable to formulate any system of licensing. But if we are to wait till we can get a complete and perfect measure that satisfies every one, reform of the Copyright Law must, indeed, be relegated to a dim and remote future. With regard to the licensing question, there are, after all, only two

courses open to the noble Lord (Lord Knutsford); he must either do something or nothing. If he does something he can incorporate his plan in this Bill; if he does nothing this Bill would not interfere with him, for the measure does not propose to do anything. The passing of the Bill would leave the noble Lord with as ample an opportunity of making up his mind, or delaying to make up his mind, as he now possesses. Why, my Lords, should not this Bill be passed through your Lordships' House now? What is there to wait for? International copyright, under the Convention of Berne, has now been in force for five years, and that much-expected Statute, the American Act, has been passed. I think I have given strong reasons why this House should promptly take in hand the great question of copyright reform. This House is, I venture to say, peculiarly fitted to deal with the question. Your Lordships were in thorough sympathy with the just claims of literature and art, and are perfectly capable—much more capable than is the House of Commons—of elaborating a just and useful measure. It is true that the old-fashioned modes of patronage are at an end. Authors are no longer driven to earn a livelihood by dedicating their works to your Lordships; they now appeal for patronage and support, not to the few, but to the many. If your Lordships go to the theatre you are no longer accorded special places on the stage. But your Lordships, as a Legislative Body, can do inestimable service to the cause of literature and art. In your capacity of legislators you can still exert your influence to see that justice is done to persons to whom the community are deeply indebted for instruction and entertainment. There are noble and learned Lords in this House who are peculiarly fitted to criticise and amend such a Bill as this. It is not a question on which there can be any jealousy between the two Houses. I believe the House of Commons would willingly accept any measure that had been well thought out and discussed in your Lordships' House. But whether I am right in that or not, let us, at all events, leave to the other House the grave responsibility of refusing to amend a law which is positively grotesque in its absurdity and injustice. I ask your Lordships to do what in you lies to secure to literature and art their just reward, and to make the Law of Copyright an ornament instead of a disgrace to the Statute Book. I beg to move the Second Reading of the Bill.

Moved, "That the Bill be now read 2ª." —(*The Lord Monkswell.*)

THE SECRETARY TO THE BOARD OF TRADE (Lord BALFOUR of BURLEIGH): My Lords, I am able to go some distance with the noble Lord who has just spoken, and some distance, at any rate, in his criticism, I might almost say denunciation, of the existing state of the law on the subject of copyright. I am quite willing to admit that it needs consolidation, and that it needs amendment. The noble Lord has stated that the Acts which deal with the subject are many in number, that they are not always consistent with honour, that in some respects they are unsatisfactory, and that in other respects they are ineffective; and he has told your Lordships there are Common Law principles which can only be ascertained by laborious search through the Law Reports. Also it is the case that the law as it stands contains many arbitrary distinctions. The copyright in books may either be for the life of the author, and seven years afterwards, or for 42 years from the date of publication. There are differences in the duration of copyright as regards lectures, engravings, and sculpture; and musical copyright, as the noble Lord has said, is in a most unsatisfactory and uncertain condition. There are differences in the law, as he has told you, as regards the necessity of registration in the case of books, of paintings, and of dramatic works. But I am not able to go much further in agreement with the noble Lord. I think the very fact which he mentioned—that, in spite of a very large and influential Commission having sat upon the subject for more than two years some 12 years ago, and in spite of a demand from many quarters, nothing has been done, even on the lines of that Commission—is in itself a proof, if any proof were needed, that these matters are highly contentious and very difficult of arrangement. Bills have been introduced in 1881, and many subsequent proposals have been made, for the amendment of the law, but nothing

has been done up to the present time. I join issue with the noble Lord upon the matter of procedure. He has anticipated an objection that may be urged against him that this Bill is not only a consolidating but an amending Bill: and I understood him to suggest as an alternative course that Parliament should be asked first to consolidate and then to amend.

*LORD MONKSWELL: No. I said it would be impossible to do so, because the law, as it stands, is so absurd that you cannot consolidate it without amending it.

LORD BALFOUR OF BURLEIGH: To consolidate the law and then to amend it would be to get rid of confusion in one year, only to find it re-introduced immediately afterwards. I do not think a Bill on so highly contentious a subject could be got through Parliament within the limits of one Session if it attempts both consolidation and amendment; and I would suggest that the preferable course would be that a Bill should be brought in dealing with those points which are contentious and of the greatest importance, and that thereafter the law should be consolidated. There would be no difficulty in arranging that the amending Bill and the consolidating Bill, once the principles were agreed upon, should come into force at the same time. I think there are great disadvantages in attempting simultaneously to consolidate and to amend the law on a subject of this magnitude, because by so doing you greatly widen the subject of controversy, and it would be far better to deal with those matters, which are matters of controversy, in the first instance, and then afterwards to embody them in a consolidating Bill. I am sure that your Lordships, who have listened to the speech of the noble Lord, must have arrived at the conclusion that these matters are not only highly contentious, but are most complicated, and that they raise many difficult questions of policy. I venture to say that so much is that the case that it is quite impossible for a private Member, certainly of the other House of Parliament, and, I venture to think, for one possessing the knowledge which the noble Lord has shown in this House, to deal with the representations and memorials, and even, I might say, the probable deputations which would come upon him if it were known that this Bill was really being pressed forward. It touches so many interests that I cannot suppose that the resources of a private Member would be adequate to cope with them. And not only are there questions of law and private policy, but matters of Imperial and colonial policy come into the field. Then, my Lords, even if these objections which I have put before the House do not prevail, I would venture to add another objection, and to suggest that the time at which this Bill is brought forward is not opportune. The noble Lord opposite referred to the American law which has recently passed through their Legislature. But we do not know now the effect of that Act upon our trade. It may be as little as the noble Lord hopes, and I sincerely join with him in the expression of that hope; but certainly the law has not yet come into operation, and we cannot tell what the effect of it will be. I said just now that matters of Imperial policy were also concerned. I believe I am correct in stating that Canada is not satisfied with her position in connection with the provisions of the Berne Convention, and that requests have been made for an alteration on that point. If we begin amending or consolidating the law at the present time when subjects of that kind are under discussion with our colonies, we shall add greatly to the friction existing and to the difficulty of passing such a Bill at the present time. In the Bill itself there are many things of which the Department I have the honour to represent cannot possibly approve. There is one part of the Bill to which I do not think the noble Lord referred in his speech, that is to say, the part which deals with the matter of registration. He himself seems to have some doubts and misgivings as to whether it is wise to put it forward. I venture to think there can be no doubt whatever that if the provisions in the Bill as they now stand were to be enacted, they would cast a serious charge upon the public funds of this country, which should not, I think, be proposed at the instance of a private Member, and which perhaps ought not to be brought forward at all, in the first instance, in this House. Something of this kind seems to have been in the minds of the framers of the Bill, because in the pre-

liminary Memorandum attached to the Bill I find this sentence—

"With regard to registration, the Bill (as was recommended by the Royal Commission) provides for the establishment of a Copyright Registration Office under the control of Government in lieu of the present office at Stationers' Hall, established under 5 and 6 Vict. c. 45. It is felt, however, that the details and formalities of any scheme of registration can only be satisfactorily settled by Government officials, and the provisions of Part V. of the Bill are put forward rather by way of suggestion than as a definitely settled scheme. It may be found desirable, either now or hereafter, to combine the Copyright Registration Office with the Registry of Designs and Trade Marks, and this part of the Bill has, therefore, as far as possible, been modelled on the corresponding provisions of the Patents Designs and Trade Marks Act, 1883."

I am quite certain that a very great deal of discussion and consideration would be required before anything of the nature of a change such as is suggested in this part of the Bill could possibly be accepted. My Lords, I am far from saying that there are not some valuable proposals in the Bill; but I am not able to share in the praise which the noble Lord gives to the draughtsman. We have been told at an earlier period of this evening that doctors differ. I am afraid that differences between men of a trade or profession are not confined to doctors. I have heard draughtsmen differ very seriously, and I have been informed by the comments which I have seen upon this Bill that of the 96 clauses which it contains there are serious objections taken to more than 50 of them, in substance as well as in form. So much is that the case that we believe it would be far easier to draft a new Bill altogether than to endeavour to amend the provisions of this Bill and to bring it into conformity with anything which is likely to be accepted. Under these circumstances, I venture to suggest that it would not be wise to hold out any hopes that this Bill can possibly become law in the present Session, or that in fact it is worth your Lordships' while to proceed further on this occasion. I am inclined to think that to do so would be to lay a very great deal of work upon the House and the Standing Committee —work which the House and the Standing Committee would probably not object to if it were to serve any useful purpose; but work which I believe would be almost entirely thrown away. Under these circumstances, without going into the details of the Bill, I venture to suggest to the noble Lord opposite that he should be satisfied with having explained the principles of the Bill, and should not seek to press it further during the present Session.

LORD HERSCHELL: The noble Lord who has just sat down has urged my noble Friend to be very easily satisfied; I think he might as well have urged him to be satisfied with nothing. I shall make no apology for taking part in this discussion, because it is a subject in which I have been long interested, and in which I have the natural interest of one who gave a considerable amount of time to the consideration of the question as a member of the Royal Commission some fourteen years ago, and who is, therefore, naturally anxious to see some fruits at least of the labour that was then bestowed. I have never lost sight of this question from that time, and I have always been anxious to see some effect given to the recommendations of the Royal Commissioners. It certainly is not very gratifying to one's national pride to find that when a Royal Commission pointed out that the law was grotesque and mischievous, and urgently required amendment, we should, 13 years afterwards, when it is sought to come to a conclusion upon the matter, be invited to sit with our hands quietly folded, and not attempt to make the law any better than it is. Surely the Legislature exists for the purpose of remedying imperfect and mischievous legislation. For what are we assembled here from Session to Session except to make the law, in our judgment, better than it is? I am, therefore, a little mortified to find that the speech of the noble Lord the Representative of the Board of Trade is one of a character which is perfectly well understood. I do not want to represent for a moment that the Department to which I belong has any objection to legislation, or that it does not recognise that the law is at present in an imperfect condition; we rather think it should be amended; but we would rather see this Bill stifled and put an end to, and at some future time, in some unsuggested way, in some undefined manner, the law may come to be better than it is. I should have thought, at least, we should have

been told that Her Majesty's Government would have felt themselves prepared to deal with it. I quite agree with what the noble Lord has said, that if the Government should take it up and deal with it they would be in a much better position to do it than any private Member of Parliament, and I am quite certain that, upon such an assurance being given, my noble Friend would be prepared to stand out of the way and leave the Government to act in his stead. I have been expecting certainly to hear for a long time of the introduction of a Copyright Bill by the Government, and especially by that Department to which the noble Lord belongs. I may say that I have been in communication with those who are interested in the subject, and I was prepared myself, a year after I came into your Lordships' House, to take up the matter; but I was told that those with whom I was dealing were themselves in communication with the Board of Trade, and under those circumstances I said I should be only too happy to leave the matter in their hands, and not touch it myself. Every Session since then I have had some faint hope that at last such a Bill as that would see the light; but the noble Lord does not give any such hope to-night even in what I may call the distant future. As every one admits that the law ought not to be allowed to stand as it now stands, can any good reason be given why an effort should not be made to alter it? As far as public announcements go, it would strike one that the programme of Her Majesty's Government is approaching its end; there is not very much ahead that we have had any intimation of; why should not the Government, upon such a subject as this law, be ready to endeavour to put it in a satisfactory fashion upon the Statute Book? It is a matter of interest to authors, who certainly, on account of the great advantages which we derive from their work, deserve consideration at the hands of the Legislature, and it is for the advantage of the public, too, that this matter should be settled and the law amended. I quite admit there are difficulties, although I do not think those difficulties are so formidable as they are represented to be by the noble Lord. A great many would, I think, vanish if it were known that there was a resolute earnest endeavour to grapple with and conquer them. And, as regards the thorny questions to which my noble Friend has alluded, they are not really so very enormous. He stated that 50 out of the 96 clauses of the Bill were open to objection. I do not know what are the particular points of objection alluded to; but, knowing something of the subject, I think the really difficult ones come to no more than three or four. I cannot agree with the noble Lord either that it would be impossible to deal at once with a Bill which was an amending and a consolidating Bill. No doubt there have been some controversies, but if your Lordships could settle those controversies there would be no difficulty about a Bill which was both consolidating and amending. Then there is some force in what the noble Lord said also upon the other point—that such a Bill could be better dealt with by Her Majesty's Government than by a private Member of either this or the other House of Parliament, and that, as this Bill has colonial and international aspects, and there is always a difficulty and delicacy in dealing with those questions, the Government are always in a better position to deal with them, and they would be more satisfactorily dealt with, I quite admit, in their hands than in the manner in which it would be necessary to deal with them if they were left in the hands of a private Member. Probably that part of the Bill might be left entirely to the control of the Government, the other part being taken up by a private Member. But the matter cannot be left much longer in the condition in which it now is. It would be, of course, impossible to put forward a promise of immediate legislation; such promises ought, of course, not to be lightly given; but I would press upon Her Majesty's Government, seeing the urgency of this question—as there must come under their consideration, if not at present, very shortly, the international and colonial aspect of these questions—it would be a matter of very great satisfaction if they could give the public an assurance that in taking these matters into their consideration they would be prepared to deal with the whole subject in a comprehensive fashion.

Lord Herschell

THE LORD CHANCELLOR : My Lords, I recognise the candour of my noble and learned Friend in the closing observations which he made. I do not deny that there is a great deal to be said in respect of the delay of 13 years—for which, however, I think Her Majesty's present Administration are not entirely responsible—in attempting to carry into effect the recommendations of the Royal Commission. I a little regret the somewhat aggressive tone of the noble Lord who has introduced this Bill to your Lordships' notice. I believe we are all, on both sides of the House, entirely impressed with the importance of the subject and with the necessity of dealing with it, but the noble Lord must know that a great many questions arise in a Bill of this sort, on which there is great divergence of opinion. I am myself disposed to think that it would be rash for any Government to attempt to deal with the question without endeavouring to ascertain the views of many of those who are interested in it. After the lapse of 13 years, it by no means follows that those who entertained certain views at that time entertain them now. A great deal has happened since 13 years ago, and, as the noble and learned Lord knows, many very different theories have been now started with regard to the usefulness of various provisions in the Bill, and, as I have said, it by no means follows that because certain views were entertained 13 years ago they would be found to be entertained now. I am not going to take the responsibility of moving the rejection of this Bill on the Second Reading, and I think the trouble the noble Lord has taken, and the amount of labour he has bestowed in bringing a Bill of this sort before your Lordships, would be very ill-requited if it were summarily rejected without some recognition. I cannot help saying that there are some provisions in it which I should myself oppose if it were a question of agreeing upon clauses ; and I will state the reasons why I think it would be very desirable for the noble Lord not to insist upon proceeding further than the Second Reading of his Bill, which in a great measure deals with contentious matters. As has been said by the noble Lord who represents the Board of Trade, the Bill contains undoubtedly a great many matters of considerable difficulty and importance. The Standing Committee would, I have no doubt, faithfully do its duty in that respect, and the probability is that there would be a great many Divisions in that Committee upon the various provisions in this Bill, and a great deal of trouble taken in respect of it. There would be controversies, and I am quite sure those controversies would be renewed in this House afterwards, and the notion of passing such a Bill as this now introduced, a Bill so complex, and comprehending so many subjects of difficulty and importance, is, I think, hopeless. Its being brought forward now, in the middle of May, renders it absolutely impossible it could pass into law ; and I do not think, until those questions which are the subject of controversy have been solved in some way or other, that the sending of the Bill to the Standing Committee would facilitate its passing in the future. Let me call attention to two matters which the noble Lord himself referred to—the international aspect of the Bill and the intercolonial relations affected by it. The noble Lord has himself pointed out that by the American Bill international copyright is not to exist unless similar provisions are made in an English Act ; and the noble Lord invites us to pass this Bill before the 1st July, because, unless we do so, we shall lose the benefit of the international copyright law as regards the United States. That is one matter. Then the colonies themselves may resent not being consulted upon the difficulties which arise under the Copyright Law. That I grant is not a reason why the difficulties should not be solved. I think they ought to be solved ; and, in going so far with the noble and learned Lord, I will assure him that the matter has not been lost sight of. I will go so far as to say, in answer to Lord Herschell, that the matter is occupying the attention of some of the Members of Her Majesty's Government, with the strongest desire to put the matter in shape for legislation ; but I think I ought not to be called upon to give a pledge to introduce a Bill on the subject. All I can say is that the subject is occupying the attention of the Government, and that such measures as are possible will be adopted. If it be possible, legislation will be proposed, but in view of the difficulties of the case, I would invite

the noble Lord, for his own sake and for the sake of the subject, not to insist on going forward with the Bill through the Standing Committee, because the discussions there would be certain to arise afterwards in the House, and altogether such a course would be more likely to delay and prevent than to facilitate legislation. For the reasons I have mentioned, and on account of the difficulties and anomalies to which he has called attention now existing in the law, and which I think throw great doubt upon the advisability of Her Majesty's Government or any other Administration attempting hastily to deal with it, I am unable to give any pledge. I can do no more at present than say it is occupying their attention, and again invite the noble Lord not to insist upon going further with the Bill.

*The Earl of KIMBERLEY: I quite agree as to the difficulty of dealing with this subject, but I do not concur with the noble and learned Lord's remarks as to sending it to the Standing Committee. I do not think this is a Bill which could be effectively dealt with in Standing Committee. I believe if a Bill is to be brought in upon this subject, even if it were a Bill emanating from Her Majesty's Government, it should go to a Select Committee, and that Select Committee should take evidence upon it. As the noble and learned Lord has just said, it would be impossible for anybody to proceed in the matter without having first ascertained clearly, as far as they could be ascertained, what were the wishes of the various classes of people who are affected by the Bill, and I do not think that could be effectively done unless by a Select Committee. Probably it would be too late in the present Session to proceed in such a manner as that; but I hope Her Majesty's Government will consider whether next Session a Bill might not be introduced by themselves on the subject, or, if not, that a Bill might be allowed to be introduced by a private Member, and then sent to a Select Committee. I may, perhaps, mention that some years ago a Bill was introduced by Lord Westbury, and was sent to a Select Committee; but there were great objections to that Bill, and, in consequence of the objections which I myself made in the Select Committee, the Bill was eventually withdrawn. But that is a long time ago, and, as the noble and learned Lord has said, the law has now taken quite a different shape. I was rather alarmed at first at the way in which the noble and learned Lord alluded to the very important question of the American law. I now understand that that matter is under the immediate consideration of Her Majesty's Government; but I am quite certain that, whatever may be the proper course to be taken with regard to the amendment of the law—and I express no opinion upon the subject—it is, at all events, not a matter which can be left long without being dealt with. It is quite clear that there is a strong expectation on the part of authors in this country that they will obtain the benefit of that Act, and it is quite obvious that any decision Her Majesty's Government may come to ought to be announced at as early a period as possible, for if not, there would certainly be found Members in one or other of the Houses of Parliament to bring the subject under the notice of the Legislature. I hope, therefore, we may anticipate that before a very long time has elapsed we shall hear what are the views of Her Majesty's Government upon the matter, and whether or not they intend to legislate upon it.

*Lord MONKSWELL: My Lords, I exceedingly regret that anything in the tone of my remarks should have had the very unintentional effect of giving umbrage to the noble and learned Lord on the Woolsack. Such, certainly, was not my intention. With regard to the suggestion he has made, I am willing to avail myself of the condition he desires I should accept, namely, to give a pledge that I will not ask your Lordships to proceed further with the Bill this Session if it is now read a second time.

On Question, agreed to.

Bill read 2ª accordingly.

VACCINATION.

QUESTION—OBSERVATIONS.

*Lord STANLEY of ALDERLEY, in rising to call the attention of the House to certain portions of the evidence printed with the Second Report of the Royal Commission on Vaccination; and to ask Her Majesty's Government whether they will provide debtors'

treatment instead of criminal treatment for persons imprisoned under the Vaccination Acts; and also to ask how so many illegal sentences of hard labour came to be passed and carried out without interference by the Home Office, said: My Lords, I must ask your Lordships' indulgence, as I am suffering from the prevailing epidemic. The respect which I feel for the noble Lord who was Chairman of the Vaccination Commission would not allow me to put down this notice without first ascertaining that he had no objection to it, and if he will allow me to say so, the reading of this Report has only increased my respect for him, owing to the skilful and impartial way in which the noble Lord conducted the investigation. I believe in vaccination if it is properly carried out with calf lymph, and I do not wish in the least to strengthen the hands of the anti-vaccinationists. I do not propose to go into medical details, but will confine myself strictly to the administrative question, that is, the treatment of those who, unfortunately, have been imprisoned for infringement of the Vaccination Acts. It cannot be denied that those parents who, either from what they have seen or heard, or perhaps have themselves experienced, refuse to have their children vaccinated, are better parents than those who insure their children in several Insurance Offices, or who hand them over for adoption for a lump sum without asking any further questions, and with whom up to the present time the Legislature has not interfered. Without going into the evidence, and without any medical knowledge, it might be assumed that after vaccination became compulsory it had to be cheap, and it must have the proverbial accompaniment of cheapness, and that neither the skill of the practitioners nor the quality of the lymph would be as good as it was at the time that vaccination was voluntary. Dr. Richard Thorne's answers to Questions 702 and 703 of the first Report point to this defective method of vaccination. He says you know what to expect from some of the sixpenny doctors in London. I wish to refer to Question 6268 and the answer, which quotes the Bishop of Manchester, speaking in 1881 as to the bad effects of making vaccination compulsory within 12 weeks of birth; and in order to show what some medical men are capable of I will read the answer of a doctor, No. 1738, in which he states that he had vaccinated five of his own children within 24 hours of birth: he added, "It will stagger the Commission when I mention it." I wonder one of the Commissioners did not say to him that he appeared to be risking committing manslaughter gratuitously. In order to show, from the evidence given before the Commission as appearing by the Report, that parents refusing to obey the Vaccination Laws have such grounds for their conduct as should exempt them from treatment as criminals when imprisoned, it may be stated that of the 28 witnesses examined by the Commission who had stood out against the Vaccination Laws, 16 said they refused to allow their children to be vaccinated because they knew of 24 cases of children dead or injured by vaccination. These 28 witnesses had been subjected to 413 prosecutions, and had paid amongst them £385 16s. 2d. in fines and costs. Eight of these witnesses had been imprisoned and treated as criminals, that is to say, fed on bread and water, they picked oakum, wore prison clothes, and slept on a plank bed. In short, they received the treatment which some persons think too severe for inciting to crimes of outrage and violence. One of the witnesses at Question 6568 mentions Owen Coom, who was imprisoned in March and starved, and who died in August of the same year; and he adds—

"I mean to say that under this Act some of the best and most excellent parents have been most cruelly treated in prison."

Joseph Harrison, at Question 6202, says that when imprisoned in Wandsworth Gaol he was first put in the criminal ward, he was then removed by the Governor to the debtors' ward, and after the Governor had communicated with the Home Office, he was again replaced in the criminal ward, and treated as a criminal, and then, in answer to the next question, he describes the treatment he received. It would appear from this uncertainty of the Governor of Wandsworth Gaol that there is nothing in the Act which prescribes such treatment. Besides the injustice of treating these careful parents as criminals, an injury is done to the *bonâ fide* criminals, and the salutary effect of their sentences

must be diminished by leading them to think from the equality and similarity of their treatment that their offences are no worse than that of those parents who objected to vaccination. With regard to the illegal sentences of hard labour of which I have given instances, I would cite the case of one man, Joseph Abel, who was committed with hard labour, but the sentence was not carried out, as his brother paid the fine. Then at Question 5606 it appears that Mr. William Guest was imprisoned with hard labour, and eight days of his sentence were remitted on account of the sentence being illegal. Then at Question 6690 the evidence states that Mr. George Bainborough was also imprisoned with hard labour, and in consequence the Magistrates paid to him £40 compensation, after a writ had been issued. It is probable that other illegal sentences of hard labour have been passed besides these three cases which were brought before the Royal Commission, and some explanation is wanted as to why the Home Office did not check such sentences by a circular or public notification. I will conclude by moving for a Return of the number of cases of hard labour, with the names of the Magistrates who passed the sentences, and of the clerks who advised them. As I was not able to give notice of this question before, and the noble Lord who answers for the Home Office may not be able to give me an answer offhand, I must possibly be satisfied with having now formally brought the matter forward, and I will repeat the Motion after the Recess.

*LORD DE RAMSEY: I hope the noble Lord will do as he proposes, and give notice of this Return for which he asks. If I understand him rightly, he asks for the names of the Magistrates and Justices clerks who have unintentionally imprisoned such persons as he mentions with hard labour. I am aware that in one or two instances that has occurred, but, of course, the noble Lord will not expect me to assent to that Return without consultation with the Secretary of State. I will ask the noble Lord to excuse me from following him into the pros and cons of the vaccination question, and I will on the present occasion confine myself to answering his question. I think the noble Lord rather takes it for granted that the cases of sentences referred to in the Report were illegal. In all the cases but one they were strictly legal. The one case which was exceptional was George Bainborough, who was, without doubt, illegally sentenced to 14 days' hard labour. The noble Lord has very properly quoted that case; but as regards the others, I have not been able at all to agree with his remarks. In that case George Bainborough appealed to the Magistrates, and the noble Lord is perfectly correct in saying that £40 was paid in compensation. In the 5th section of the Summary Jurisdiction Act it is laid down that where imprisonment is adjudged in default of payment of a fine such imprisonment shall be inflicted without hard labour, except where the hard labour is authorised by the Act on which the conviction is founded. The Vaccination Acts do not contain any provision as to hard labour, and prisoners, therefore, cannot be legally subjected to that treatment. Special rules have been made by Parliament in the Prison Acts as to the employment of prisoners; but no prisoner who is sentenced under the Vaccination Acts can be compelled to undergo any labour of this sort. Such a prisoner is treated under the ordinary rules for regulating the treatment of prisoners who are sentenced to simple imprisonment. Simple imprisonment, as the noble Lord knows, means imprisonment without hard labour. Under the Prison Act of 1855, such a prisoner may be compelled to work, and may be punished by alteration of diet for neglect of work, but the Prison Commissioners are empowered also to make rules as to the nature and amount of the employment, and such a thing, for instance, as oakum picking is an authorised employment. I hope the noble Lord follows the difference between imprisonment with hard labour and simple imprisonment. Prisoners who are not convicted of offences, but merely committed to prison for non-compliance with an order of the Judge to pay a sum of money, are now treated as debtors under the rules framed by the Secretary of State, and are subject to the special rules applying to debtors' prisons. I hope I have answered most of the points raised by the noble Lord in his question, but if he will give notice, on a future occasion I shall be glad to give him any further answer he requires.

LORD HERSCHELL: My Lords, I only desire to say that I am very glad to hear the statement which the noble Lord has just made as to the regulation under which persons so committed are now committed as debtors. I think that even those who are of opinion that vaccination ought to be made compulsory, and obedience enforced by fine, or, in default of payment of the fines, by imprisonment, may well consider that in dealing with persons so committed it is in the highest degree expedient in the interest even of compulsory vaccination not to impose upon them the code of degrading prison punishment which was prescribed and considered necessary in times gone by. The statement of the noble Lord, showing that this is no longer done, is to my mind very satisfactory. I do not know whether he is able to state from what date that has been the case.

*LORD DE RAMSEY: The noble and learned Lord is aware that part of these regulations are by Act of Parliament, and that the Secretary of State has the power of passing other rules, which have to be laid on the Table for 40 days and are confirmed by Act of Parliament.

LORD HERSCHELL: I mean the date from which these persons have been treated as debtors?

*LORD DE RAMSEY: I think it will be found that it has been so since 1877. I will hand the noble Lord the document which I think he wants.

WATER SUPPLY AT PORT OF SPAIN.

QUESTION.—OBSERVATIONS.

VISCOUNT GALWAY: My Lords, in the absence of my noble Friend (the Earl of Winchilsea and Nottingham) he has asked me to put the question which stands in his name. I will not detain your Lordships by adding any remarks of my own, but simply ask the noble Lord the Secretary of State for the Colonies whether his attention has been called to a statement in the *Evening News and Post* of the 29th ultimo, and to a letter in the *Globe* of the same date, relative to an alleged water famine at Port of Spain; whether it is a fact that the existing water supply was condemned by Dr. de Montbrun, as causing dysentery and other infectious diseases, as far back as 24th July, 1887; whether the water, in consequence of its insufficiency, has now to be shut off at the mains all night; and if the fires of the 11th and 15th February this year were not attended with great loss of life and property owing to want of water to extintinguish them; whether the Director of Public Works for Trinidad, Mr. Tanner, did not on 1st December, 1890, lay on the Table of the Legislative Assembly plans for ensuring a full supply of pure water to Port of Spain; whether anything further has been done in the matter; and if the Secretary of State will avail himself of Mr. Tanner's presence in England to take, in concert with him, such steps as may be necessary to have Port of Spain provided with water?

*THE SECRETARY OF STATE FOR THE COLONIES (Lord KNUTSFORD): My attention has been called to the statements in question. I have to state that I am informed that Dr. de Montbrun, a medical practitioner in Port of Spain, Trinidad, in a letter of the 24th of July, 1889 (not 1887, as stated in the question) did express an opinion that the quality of the water supplied was the cause of dysentery. I am informed by the Director of Public Works in Trinidad that in 1889, during an abnormally dry season, it was necessary to shut off the water at the main during the night, but that this was not done in 1890, nor has it been done in the present year, as far as my informant knows. I have no official information as to the alleged want of water for extinguishing the recent fires at Port of Spain alluded to in the question. A statement to that effect was made in the newspapers, but it was immediately contradicted by the Acting Director of Public Works in the colony. It is true that a Report of the Director of Public Works was laid upon the Table of the Legislative Council on the 1st of December, 1890, submitting a scheme for an additional water supply to Port of Spain at an estimated cost of £106,000, but I am not aware whether any action was taken on that Report. I will call for information on the subject, but I need not tell your Lordships that it is for the Legislature and Government of Trinidad to take such steps as they may think right in the matter.

SLANDER OF WOMEN BILL.—(No. 111.)

Order of the Day for the Second Reading read, and discharged.

PRESUMPTION OF LIFE LIMITATION (SCOTLAND) BILL.—(No. 104.)

Read 2ª (according to order), and committed to a Committee of the whole House to-morrow.

LAW AGENTS (SCOTLAND) BILL. (No. 97.)

House in Committee (according to order); Bill reported without Amendment; and re-committed to the Standing Committee.

EVIDENCE BILL [H.L.]—(No. 119.)

Read 3ª (according to order); Amendments made; Bill passed and sent to the Commons.

NEWFOUNDLAND FISHERIES BILL. (No. 122.)

THIRD READING.

Order of the Day for the Third Reading, read.

LORD HERSCHELL: My Lords, there is one matter to which I wish to call your Lordships' attention. I find that the delegates sent over here from Newfoundland not unnaturally feel somewhat aggrieved at the view which has found expression in many newspapers in this country, that in the proposals which they made, and which were referred to in the last stage but one of the Bill before the House, they were withdrawing from the proposals which they had made in the first instance. Entertaining, as I do, a very strong view that any such charge against the delegates is unfounded, I think it is only right that I should publicly express that view. I am not going into the controversy as to what was the meaning or the true interpretation of the expression which they used in the offer originally made by the delegates—as to whether they indicated the passing of permanent or temporary measures. On the last occasion I expressed my opinion upon that subject. I did not, of course, intend for a moment to suggest that the noble Lord the Secretary of State for the Colonies did not understand the proposal in a different sense, but of this I am quite certain: that there is no ground whatever for the conclusion that the delegates are not stating what is perfectly correct when they say that they intend in that proposal to refer to temporary legislation, and that they certainly so understood the proposal they made; and I do not think any candid person can dispute that they may well and reasonably have so understood that proposal, inasmuch as it was so understood by myself and those of my noble Friends with whom I have been in communication on the subject. If we so understood it—if that was the interpretation which we put upon it, coming to the question without preconceived opinions, it certainly cannot for a moment be justifiably suggested that the delegates did not mean and intend that which by many was understood to be the true meaning and construction of the language they used. I am not on the present occasion proposing to reopen the question as to which interpretation is correct, but whatever view is taken upon that point it cannot be suggested that the delegates are not now adhering to the proposals which they intended to make, and believed that they did make, using language which might reasonably be understood to mean what they wished to express when they were first heard at the Bar of your Lordships' House. I think it is only right, inasmuch as they naturally feel sore at the statements which have appeared in many newspapers that they are departing from their word, that I should publicly make that statement. I do not propose to enter further into the controversy upon this question, because if I understand aright, the situation has been materially changed in one respect since the matter was last before your Lordships' House. At the time of the last discussion the noble Marquess suggested that there was no warrant for our taking the view that the delegates were the absolute representatives of the Legislature of Newfoundland and that even such proposals as they might have accepted might none the less not be accepted by the Legislature of Newfoundland. As I say, the situation is materially changed since then, because, as I understand it, the Legislature of Newfoundland have indicated by a vote that they are prepared to carry out such legislation as the delegates propose. But I understand that a communication from the delegates to the Colonial Office either has been sent in the course of this afternoon or is now on its way—I am not sure which, and in either case it obviously would be unreasonable that I

should press Her Majesty's Government for any expression of opinion upon this proposal on the present occasion. If they have not seen it, it would be impossible for them to make any communication, and if it had only recently come to their hands it would be equally unreasonable that they should be asked to give an expression of opinion upon a matter which they might quite properly say required some careful consideration. Therefore I do not press Her Majesty's Government, even if they have received these proposals, for an expression of opinion upon them. All I urge upon the noble Lord and upon Her Majesty's Government is this. Let me say, in the first instance, that I do not know what these proposals are. It would be the greatest possible satisfaction to me, and I believe to all your Lordships, if these proposals were such as Her Majesty's Government might find themselves able to accept; but even if they should not be such as they could accept in all respects, as to which I express no opinion, I do most seriously and earnestly impress upon Her Majesty's Government not to put them aside as unacceptable, and so put an end to any attempt to arrive at an understanding. I hope even if they are not considered acceptable that, at all events, the Government may make an endeavour as far as possible to meet the wishes and views of the delegates, and to arrive at a settlement which will secure legislation in Newfoundland instead of the legislation proposed by this Bill. I do so, not only in the interest of our relations with the colony, but in the interest of a satisfactory settlement of this question in all respects, because I am quite certain that even if Her Majesty's Government do not get all they might think should be accorded by the Newfoundland Legislature, yet on the other hand they must see that if they can secure the means of enforcing the Treaty at present existing by legislation in Newfoundland they are much more likely to be able to effect the object they have in view by acting in that way in harmony with the Newfoundland Legislature and Government than by acting in opposition to them, and by forcing this legislation through in this country, even if they might think that in some respects such legislation would be more satisfactory than the legislation proposed by the colonists. It is eminently a case in which every possible consideration and regard should be shown to the colony, consistently with the duties imposed upon Her Majesty's Government. I have no reason to suppose that they will not be willing to show that consideration and regard for those who represent the colony of Newfoundland, and I think that every endeavour should be made to come to an understanding which will bring about a harmonious rather than a hostile settlement.

*LORD KNUTSFORD: My Lords, I need scarcely say I regret that any misapprehension should have arisen with regard to the proposal of the delegates, and I should feel especial regret if the misapprehension had arisen from any failure on my part to make clear the decision and views of Her Majesty's Government. I will not dwell upon the point any longer, except to accept the statement which the noble and learned Lord has made, that the delegates from the first only intended to propose that a temporary Act should be passed. The delegates are now, however, aware of the position and views of Her Majesty's Government. I have not seen any proposals that have been sent in to-day, nor am I aware whether any have yet been received at the Colonial Office, but of course every consideration will be given to those proposals. I confess that I have spoken somewhat in vain in this House, and that others who represent Her Majesty's Government have spoken in vain, if we have not succeeded in assuring your Lordships and in convincing the noble and learned Lord that we have every desire to meet the wishes of the colonists, that we have made every effort to do so, and that we are not, therefore, liable to the kind of lecture which the noble and learned Lord has just given us. He has assumed, on the part of the colonists, that we have endeavoured to keep them at arm's length, whereas the very reverse is the case. We have endeavoured at every stage to meet them; all their proposals have been carefully considered; and we most heartily desire that they should pass legislation, and free us from the necessity of proceeding with this Imperial Bill. As regards this special measure, I must observe that throughout all the attacks that have

been made upon Her Majesty's Government in this respect no reference has been made to the clause now standing as Section 3, which is a protection to the independence of the Colonial Legislature. That has never been sufficiently recognised. We have earnestly desired to keep that independence secure by giving the colonists, at any time, power to suspend the Imperial legislation by passing themselves a measure sufficient to secure the performance of those international obligations by which they, as well as this country, are bound.

*THE EARL OF KIMBERLEY: My Lords, I had not the slightest wish to make any further remarks upon this subject, but I cannot pass over in silence the remarks of the noble Lord opposite, which I confess I have heard with some pain. The noble Lord talks about my noble and learned Friend having administered a lecture, which, I am sure, was not in the least his intention, and he spoke—which I cannot concur in—of the thoroughly conciliatory attitude of the Government. I had no wish to say a word more on the subject, but as he challenges us upon it I feel bound to say that I think the attitude of the Government has been the reverse of conciliatory. I do not say it in regard to this country, but to the colony; and for this reason: The colony propose legislation which would have met, in my opinion, the whole difficulty; the Government, however, replied peremptorily to that, and demanded permanent legislation. I cannot for a moment see how it can be claimed, on behalf of the Government, that that is a conciliatory attitude. It may be a wise attitude; it may be a prudent attitude; it may be that they are right in the arguments that they have used, but that they have adopted a conciliatory attitude I cannot agree. What we complain of on the part of Her Majesty's Government is that while they have quite rightly intimated to the colony that it is impossible there should not be legislation for the purpose of carrying into effect the Treaty, they have not, since the delegates have put their proposals before them, shown the desire, which I should have thought they would have shown, to come to some agreement with the colony. I must say they have shown, what I ventured on a former occasion to deprecate, that is, a certain amount of ill-temper. I say it deliberately—a certain amount of ill-humour on account of the persistent refusal of the Newfoundland Legislature to meet Her Majesty's Government on former occasions. I do not agree with the position which the Newfoundlanders took up. I think it would have been wiser on their part if they had met Her Majesty's Government at the time in a more conciliatory spirit. All that I quite concur in, but I believe we all admit they have very strong grounds of irritation, not against Her Majesty's Government, but on account of the Treaty to the provisions of which they are subject, and although they may have shown a want of conciliatory feeling in the past, that is no reason why we should visit them with punishment in regard to what ought now to be looked upon as by-gones. I will repeat, even though I may be said to be lecturing, which is not at all my intention, that it is in the interests of this country, and of our relations with France, and that it is also in the interest of Her Majesty's Government themselves, that, if possible by any means, this legislation should not be forced upon the colonists. The result, it is quite clear, will be that if the colonists are to have this legislation—and I am not saying that this is yet decided—forced upon them, we shall have to enforce the Treaty against the colonists when they are in a state of great irritation, and I am sure the noble Lord must see that will be a real disadvantage to us; and it is for that reason, and not merely as an advocate of the Newfoundland colonists, which is not a part which I wish to play, but in the interests of Her Majesty's Government itself, that I and those who are with me urge that the Government might have shown a more conciliatory attitude towards the colonists.

THE MARQUESS OF SALISBURY: My Lords, I think it necessary to say a few words after—what shall I call it?—the exhortation from the noble Lord opposite. I will not call it a lecture, though he has told us of our hostility and our ill-temper.

*THE EARL OF KIMBERLEY: I did not use the word "hostility."

THE MARQUESS OF SALISBURY: I do not know whether, if the noble and learned Lord was invested with the right of lec-

turing us on Sundays, he could have spoken much more frankly than he has done. But it is not the question whether the noble and learned Lord's rhetorical compositions are to be classed as lectures or not: the question is, whether Her Majesty's Government have deserved any such blame as that which both the noble Lords have imputed to them?

LORD HERSCHELL: I beg the noble Marquess's pardon. I imputed, in the whole of my observations, no blame as to the past; I only expressed a strong hope that something might be done in the future.

*LORD KNUTSFORD: If you did not impute, you assumed it.

THE MARQUESS OF SALISBURY: I should have thought that the noble Lord's language would hardly have been relevant unless there was some presumption that we needed a repetition of the very obvious moral maxims which he has used. When you repeat the Ten Commandments in an emphatic tone to anybody you rather impute that the Ten Commandments have not been observed by that person, and that, I think, was rather the tone in which the noble Lord spoke to us, though there was nothing at all novel presented to us, or beyond the power of the most limited capacity, which would prevent our discovering such moral guidance for ourselves. I repeat that the two noble Lords, by presumption or by direct statement, have imputed to us that we have not acted in a conciliatory spirit towards the Newfoundland colonists. I am not aware of any action on our part to which that language can be applied. I am sure that it would not be wrong to say that our patience through years of negotiation has been exemplary. We tried every device of negotiation we could conceive in order to bring about an arrangement between the colonists and the French Government. At their request we laid proposals before the French Government, which we knew it was perfectly impossible the French Government could accept. We did all we could to give full expression to their wishes, and to convince them that the difficulty in which they found themselves, and which we always recognised very heartily, was one which it was not in our power to get rid of. Then, when it came to the necessity for a Bill, we had to choose, to find a path, to consider how we should combine what we believed would be the utmost possible consideration for the colony with the observance of our plain international obligations, and the avoidance of the dangers and hazards which nobody in this or the other House of Parliament would be anxious we should incur. What we have said is that legislation must be passed by a certain time, and we have already strained that time to the utmost. At this very moment acts are going on upon the coast of Newfoundland which France challenges as illegal and a breach of Treaties. I do not suppose that the French Government will make any exaggerated or extravagant representations on that head, but that is the fact at the present moment. Our officers have been deprived of all power of interfering for the protection of the Treaties; they are under instructions to report, but, so far as interference with British subjects goes, not to act. It is impossible that we can allow that state of things to go on for an unlimited time. We feel it is absolutely necessary to bring it to a close. If the Newfoundland Legislature will give us the powers we desire, I quite recognise that would be a much more satisfactory mode of doing it than by our taking the powers here at Westminster; but a pressure for a permanent Act is due not to the motives which the noble and learned Lord was kind enough to suggest, not to any anger, provocation, or ill-temper, to which he was pleased to say it was due, but to our feeling of the international hazard involved in the contrary course. Anyone who knows the ways of the British Parliament, the difficulty of getting Bills through the House of Commons, and the way some sudden storm of political disturbance will sweep across the country and prevent the attention of Parliament, even to pressing matters of foreign interest, will know that it is not a safe plan to put ourselves in such a position that for a considerable number of months it would be entirely out of our power to fulfil our international obligations. Again, I say, if the French Government remains what the French Government now is, I do not apprehend that we shall have to look for any unfriendly construc-

tion of difficulties which may arise on that account. But a consideration which I cannot put aside, and which I entreat noble Lords to reflect upon for themselves, is that we cannot assume that any of these conditions around us are permanent, and that circumstances may not place us in a position of difficulty and even of peril, if we have not always the power of observing what we have acknowledged to be our international obligations. Therefore it does seem to me that we require something more than a temporary Act, an Act which is only to be renewed on the condition that an agreement is come to in the meantime on some very difficult questions regarding compensation and tribunals which the Newfoundland Legislature has placed before us. We shall be exceedingly glad to consider the suggestions which the delegates have made, and we shall make great efforts to come to an agreement with them upon those two subjects. What we do not like is to make our power of fulfilling our international obligations contingent on any accidents which may arise, and upon our obtaining power upon those two points. That is our desire, and against that we must guard. I utterly repudiate the construction put upon our conduct by noble Lords who say that it was influenced by any spirit of ill-temper or hostility towards the colonists. We are anxious by every means in our power to make their position, which we admit to be difficult and disagreeable, as tolerable as possible. We are anxious to consult their feelings and sympathies as far as we can, but we do claim from Parliament the power of fulfilling our international obligations.

*LORD DENMAN: My Lords, it has often been my duty to point out the inconvenience of Resolutions interfering with legislation, and on this question arbitration is extremely inconvenient, because all arbitrations are necessarily lengthy. For 12 years it was my duty to arrange for conducting all arbitrations from the Court of Queen's Bench, and I may mention, perhaps, my method of procedure. My first step was to get together the counsel engaged, and see that they were exactly agreed upon what was the subject of reference. However, though the delays of arbitration may be objectionable, I think a little delay would be a good thing on this occasion, and upon the Motion that the Bill do pass, I propose to move that the Bill do pass this day month.

*LORD NORTON: My Lords, I must express my own opinion that it is most unpatriotic of the two noble Lords opposite to make this accusation of the want of conciliatory spirit on the part of the Government towards the delegates from Newfoundland. The noble and learned Lord (Lord Herschell) made the accusation by way of insinuation—by way of giving advice to the Government to act in a friendly spirit. The noble Earl (the Earl of Kimberley) made his attack more directly, and said there had been an unfriendly spirit shown. If it had been true it was unpatriotic to say so. What object could the noble Lords opposite have had in throwing out that insinuation here publicly except to impress the delegates in the first place with the idea that there had been something unconciliatory in the action of the Government towards them; and, in the second place, which is still more dangerous and unpatriotic, to create that impression in the minds of the colonists at the critical moment of a most difficult and delicate question—a question of the greatest possible importance for the interests of the colony, and as regards the foreign relations of this country. But I deny that there is any ground whatever for this insinuation. The Legislature of the colony was called upon from time to time to legislate themselves in the matter, and it was not until they absolutely refused to legislate that the Government came forward with the necessary Bill—for an empowering Act must be passed by one or the other. I repeat that it was not until the colony had refused to act that the Government came forward with their Bill, and then only presenting it as a provisional measure while still pressing them to act, and stating that the Imperial Act was only brought forward as an absolute necessity, telling them—"If you will not yourselves act within a certain time there must be action on the part of the Imperial Government." I have no doubt that there may have been irritation felt on the part of the colonists from the galling annoyance

caused them by the provisions of the Treaty. But that was not irritation against this country. It arose, as I say, from the difficulties arising from the observance of a Treaty more than a century old, which had become obsolete, and some of the provisions of which were very galling to them. They knew that we were doing all we could on our part, and that we were as anxious as they were to remove that difficulty. They could feel no irritation against us, though they felt a natural irritation at the Treaty which we were doing our utmost to alter, and which they knew we were doing our utmost to modify, in their interests. But, after all, how could it possibly have been the object of Her Majesty's Government, or of anybody else in this country, to act in an unconciliatory spirit while trying to co-operate with the colonists in removing the difficulties arising out of the Treaty? It was our object as much as theirs to remove them; we have acted together for that purpose; and it is quite as much to our interest as to theirs that they should be removed. I do sincerely hope that it will not go out to the delegates or to the colonists that there is any foundation whatever for the insinuation which I think has been most unpatriotically thrown out against the Government on this occasion.

On Question, agreed to; Bill read 3ª accordingly, and passed, and sent to the Commons.

STATUTE LAW REVISION BILL [H.L.] (No. 77.)

Read 3ª (according to order); Amendments made; Bill passed, and sent to the Commons.

TRUSTS AMENDMENT (SCOTLAND) BILL.—(No. 108.)

House in Committee (according to order); Bill reported without Amendment; and re-committed to the Standing Committee.

HERRING BRANDING (NORTHUMBERLAND) BILL.—(No. 92.)

Read 2ª (according to order), and committed to a Committee of the Whole House to morrow.

BUSINESS OF THE HOUSE.

Ordered, That the Evening Sitting of the House to-morrow do commence at half-past Four o'clock.

House adjourned at Seven o'clock, till to-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 11th May, 1891.

QUESTIONS.

QUEENSFERRY FORESHORE.

MR. CAMPBELL-BANNERMAN (Stirling, &c.): I beg to ask the President of the Board of Trade whether his attention has been called to the present condition of a large part of the foreshore close to the Burgh of Queensferry, which was acquired under an Act of 1863 by the North British Railway for the purpose of the construction of a harbour; but which, the harbour not having been completed, remains in a condition which is dangerous to the public; whether he is aware that the company has been in vain requested either to complete the harbour, or to restore the foreshore to its original state, or to grant a lease of the ground for some useful purpose, and whether he can now intervene in the public interest, to cause an end to be put to the present state of things?

*THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): I have been requested to answer the question for my right hon. Friend, who is unavoidably prevented from being in his place. I have asked the Railway Company for their observations on the state of things disclosed in the question of the right hon. Gentleman. The foreshore in question was acquired by the Railway Company from the proprietor of the adjoining estate, to whom it was decided by the Courts to belong; and the Crown has, therefore, no control over it.

ORDNANCE SURVEY MAPS.

MR. HOBHOUSE (Somerset, E.): I beg to ask the President of the Board of Agriculture whether his attention has been called to the great inconvenience to the Public Service caused by there being no place in London where the officials of Public Departments and others can consult the maps published by the Ordnance Survey; and whether the Government will provide such a place at the office of the Board of Agriculture, or elsewhere?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): I am quite aware that the present arrangements, both with regard to the inspection and also the sale of the maps published by the Ordnance Survey, are not satisfactory, and they are now under the consideration of the Department. No alteration can be made in the arrangements for the sale of maps before December, 1892, but I hope very shortly to provide in London facilities for the inspection of maps, which will meet the views of the hon. Member.

DISHORNING OF CATTLE.

SIR E. BIRKBECK (Norfolk, E.): I beg to ask the President of the Board of Agriculture whether his attention has been called to the fact that on the 4th instant five Irish Judges decided that the dishorning of cattle was legal, and that three Scotch Judges have also given a similar decision; whether he is aware that the result of the case of "Forde *v.* Wiley" in the Court of Queen's Bench in England seriously affected the agricultural interest in Norfolk; and whether, taking into consideration the importance of this matter to the agricultural industry, he will take the necessary steps to make the law uniform throughout the United Kingdom?

DR. TANNER (Cork Co., Mid): I beg also to ask the President of the Board of Agriculture whether he is aware that the Scottish and Irish Law Courts have now decided contrary to the decision in the Court of Queen's Bench in England, on the question of the dishorning of cattle; and if, under the circumstances, the Agricultural Department can take steps to ensure a judicial review of the case of "Forde *v.* Wiley"?

MR. CHAPLIN: My attention has been called to the fact that five Irish and three Scotch Judges have given a decision to the effect that the dishorning of cattle was legal, and that the opposite decision given by the Court of Queen's Bench in England in the case of "Forde *v.* Wiley" has given rise to some complaint among agriculturists in Norfolk. The case of "Forde *v.* Wiley" was decided two years ago by the Queen's Bench Division on a case stated by the Norfolk Justices. I am advised that in such cases there is no appeal to a higher Court, and in any case it would not be competent for the Board of Agriculture to obtain a judicial review of a case to which he was not a party. The hon. Baronet asks me if I will take the necessary steps to make the law uniform throughout the United Kingdom; but uniform in which direction? Do I understand him to mean that uniformity should be attained by making dishorning legal or illegal throughout the Kingdom? [SIR E. BIRKBECK: Legal.] I have read the decision of the Judges in "Forde *v.* Wiley," and a good deal of the evidence, and I should not be prepared to introduce measures to legalise the operation of dishorning, which appears to be one of excruciating pain to the animals which are dishorned. I am of opinion, however, that a solution of the question might possibly be found by making the dishorning of calves permissible up to a certain age—say six months, when the horns, I believe, can be removed without much difficulty or pain, and illegal after that age; and if I found any general support for that suggestion, I should be prepared to further consider it. I must guard myself, however, against giving anything in the nature of a pledge, for I am still awaiting further information on the subject.

COLONEL WARING (Down, N.): Will the right hon. Gentleman endeavour to obtain further information from the best sources?

MR. CHAPLIN: Yes, Sir; I am endeavouring to obtain further information.

ROYAL COMMISSION.

Message to attend the Lords Commissioners;—

The House went;—and being returned;—

Mr. SPEAKER reported the Royal Assent to certain Bills (see page 429).

MONTROSE LICENSING COURT.

MR. LENG (Dundee): I beg to ask the Lord Advocate whether he is aware that the Licensing Court for the Burgh of Montrose having been fixed, and publicly notified, for 11 o'clock on the 14th of April last, the Licensing Magistrates, without any public notice, and with private notice only to the applicants for licences, changed the hour to 10 o'clock, and afterwards held the Court at that hour; whether he has been informed that an owner and occupant of property near to two houses for which licences were sought, who had lodged signed objections with the Clerk of the Court, and served copies of the same on the applicants, by registered letters, five days before the advertised time of holdthe Court, received no intimation of the change of hour, and the Court was held in his absence and that of his law agent; whether, in the circumstances, the licences granted, renewed, or transferred at the Court in question are valid; and whether the objectors have any appeal or other redress?

*THE SOLICITOR GENERAL FOR SCOTLAND (Sir C. PEARSON, Edinburgh and St. Andrews Universities): The Lord Advocate is informed that the facts stated in the first two paragraphs of this question are substantially correct. According to the information received, three Petitions were lodged with the Clerk objecting to certain licences, and I assume that the petitioners had the necessary *locus standi*. In one of these cases the licence was refused. In the other two cases the Petitions were marked as copies, and most of the signatures appeared to be in the same handwriting. The Clerk of Court seems to have been misled by the appearance of the Papers thus given in, and to have inadvertently treated them as informal, and the petitioners were thus deprived of their opportunity of being heard. The appeal provisions of the Statute do not appear to meet such a case, and I am not aware of any mode of testing the validity of the licences except, possibly, by action in the Supreme Court. On the abstract question of their validity, I am not disposed to express any opinion.

ILLUMINATION OF LIGHTHOUSES.

DR. CAMERON (Glasgow, College): I beg to ask the President of the Board of Trade whether, since the question on the subject addressed to him on the 30th ult., he has received information on the subject of Mr. Wigham's recent invention, by which it is alleged that the illuminating power of the most powerful lighthouse light can be increased five or six times; whether he is aware that these improvements were devised subsequent to the Trinity House Report of their experiments at South Foreland, and the Report respecting it of the Committee of the Royal Society, and therefore were not referred to in their Report; and whether he will, in the interests of trade and navigation, direct the attention of the Lighthouse Authorities to the subject with the view of their investigating it?

*BARON H. DE WORMS (for Sir M. HICKS BEACH): Yes, Sir; I have now received from Mr. Wigham a copy of a report of the lecture which he recently delivered, describing his new system of lighthouse illumination. I am not aware whether the improvements referred to were devised subsequent to the Report of the Committee of the Royal Society upon the experiments at the South Foreland; but I willingly accept Mr. Wigham's assurance upon that point. I am not prepared to suggest to the General Lighthouse Authorities to incur further expense in investigating the inventions of Mr. Wigham or of other inventors. It is the duty of the Board of Trade to control expenditure rather than to initiate it.

SUBSIDISED MERCHANT CRUISERS.

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty if he can state the nature of the structural alterations and arrangements which have been made on board each of the subsidised merchant cruisers to enable them to carry their intended armament; the estimated value of the same; and the time and probable cost of effecting similar arrangements in non-subsidised steamers, say, of about the same speed and type; whether all or any

of the proposed guns and fittings for the subsidised ships are ready for shipment; if so, where, and why they remain unmounted, seeing that the owners are receiving a heavy subsidy for this purpose; and will he state how, in the event of hostilities, subsidised ships which happen to be in foreign or colonial ports are to be furnished with guns and men?

THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD, Lancashire, Ormskirk): My noble Friend the First Lord of the Admiralty has requested me to answer the question. The plans of several of the vessels were submitted for approval before building, as regards their subdivision and general arrangements being suitable for the purposes of acting as armed cruisers. All the subsidised vessels have had necessary strengthening made to their decks and platforms for guns at a cost of about £400 per gun. Fitting in a similar manner any other suitable ship would require three or four weeks at a cost of £600 to £800 per gun. The guns and fittings are ready for immediate placing on board, being stored at depôts most convenient to the routes on which the vessels are engaged, thus insuring cruisers available at early notice in different parts of the world. It is considered more desirable thus to keep the guns, &c., in store and good order until wanted rather than to expose them to the wear and tear incident to mercantile voyaging; also, if kept so fitted, they would form an obstruction to the working of the vessels in their ordinary trading.

ELEMENTARY SCHOOLS.

MR. H. H. FOWLER (Wolverhampton, E.): I beg to ask the Vice President of the Committee of Council on Education whether he can inform the House what is the number of elementary schools, in connection with the National Society, which have been built since 1839; what was the total cost of the site and building of such schools; and what amount was granted out of public money towards such cost?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): In 1882, when grants in aid of the erection of voluntary schools had come to an end, 5,676 schools in connection with the National Society or Church of England, providing accommodation for 1,062,418 scholars, had been aided with grants to the extent of £1,515,385. The amount subscribed by promoters was £4,296,519, making the total cost of sites and buildings £5,811,904, or nearly £5 10s. per scholar. Some of these schools have ceased to exist, but at this rate the total cost of the accommodation for 2,651,078 scholars supplied by the 11,854 National or Church of England schools inspected during the year ended August 31, 1890, would amount to £14,580,929. This information applies not to all voluntary schools, but to Church of England schools only.

In answer to further questions,

*SIR W. HART DYKE said: When I said that "some of these schools have ceased to exist," I meant ceased to exist as voluntary schools. Some have been transferred to School Boards, and others have been discontinued altogether.

THE PADDY TAX IN CEYLON.

MR. PAULTON (Durham, Bishop Auckland): I beg to ask the Under Secretary of State for the Colonies whether Her Majesty's Government will consider the advisability of substituting for the present Paddy Tax in Ceylon a light Land Tax or other impost which, whilst yielding an equal revenue, would press less severely on the poorest class of cultivators?

BARON H. DE WORMS: The subject is being most fully considered by the Secretary of State, but no conclusion has yet been arrived at.

BANKRUPTCY OFFICES.

MR. MORTON (Peterborough): I beg to ask the First Commissioner of Works whether it is true that the Government acquired under the compulsory clauses of "The Bankruptcy Offices Site Act, 1887," the Carey Street building site, at the price of £6,000, owing to an incorrect statement having previously been made by their surveyor to the effect that the Government intended to repudiate an agreement they had made to widen and improve a certain footway; whether the surveyor had any authority to make such a statement; and whether, as the Solicitor General, acting as counsel for the Government at the

inquiry, admitted that the statement made by the surveyor was unfounded, the Government will compensate the then owners of the Carey Street building site for the loss incurred thereby?

THE CHIEF COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): The hon. Member's question, I imagine, refers to the land acquired from the Streatham Estates Company, which was taken by the Government under the Act referred to, for £6,000. The whole of the Carey Street site cost not £6,000 but £80,000. The price was fixed at £6,000 by a jury on the 8th June, 1888, after a three days' hearing, at which the vendors were represented by Sir Charles Russell, Mr. Littler and other counsel, and all material facts were fully discussed. I am unable to follow the allegation in regard to an incorrect statement by the Board's Surveyor; but the hon. Member's question seems to imply that the point, whatever it is, was raised at the hearing, so that the jury must have had it before them. I see no reason for re-opening the case, even if I had the power to do so.

AGES OF NON-COMMISSIONED OFFICERS.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War whether, in future annual Returns of the British Army, in the table giving the ages of non-commissioned officers and men, he will state the ages of the non-commissioned officers separately, instead of, as hitherto, making no distinction between their ages and those of private soldiers?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The suggested information could be given; and before the next annual Return is compiled I will consider whether it will be expedient to supply it, and, if so, in what form.

YOUTHFUL OFFENDERS.

MR. MATHER (Lancashire, S.E., Gorton): I beg to ask the Secretary of State for the Home Department whether he is aware that in some parts of America, and also in the Colony of Victoria, New South Wales, there has been established a system whereby a distinction between criminal and non-criminal offenders is drawn, and found to be practically possible and beneficial in its operation; and whether he will introduce a clause into the Summary Jurisdiction (Youthful Offenders) Bill to give Local Authorities power to deal with youthful offenders who have been arrested for mere offences against Local Bye-laws and Corporation Police Regulations, such as obstructing the footpaths, throwing orange peel on the pavements, and the like, and which shall provide that such youthful offenders, although arrested by police constables, shall not, as at present, be treated while in custody like ordinary criminals and offenders against the Common Law, and tried and sentenced or discharged in open Court, but shall be dealt with on the lines of the law enforced in Victoria, which provides that children arrested for offences against Local Bye-laws and Corporation Police Regulations shall not be taken to police cells but to offices provided for the purpose, and superintended by special officials, including a matron for the girls' department; that the charges against such children shall be heard and dealt with in a room attached to the said offices by a Magistrate who is empowered to deal summarily with the cases; and that the prosecution of such cases be conducted by an officer of the Department, and not by the police?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The Home Office has no official or detailed information as to the system described in the question. With regard to the practicability of drawing a distinction between criminal and non-criminal offenders, I must refer the hon. Member to the answer given in this House on December 5 last, to which I have nothing to add. It would be impossible to make the change proposed in one clause of the Bill now before Parliament. It could only be dealt with in a Bill of many clauses, involving, as it does, a fundamental alteration of our existing judicial system, with the result, probably, of throwing a considerable charge on local funds in order to provide the necessary officials, buildings, and machinery.

MR. MATHER: Arising out of the answer of the right hon. Gentleman, may I ask, in reference to an answer given a

few months ago to a similar question in regard to a matter of Common Law, whether the right hon. Gentleman will not take into consideration the fact that as the law relating to offences which are merely transgressions against bye-laws and police regulations now stands, these young persons may be compelled to associate with some of the worst class of the community; and whether he will not consider the desirability of dealing with children accused of trivial offences in a manner more in accordance with the dictates of humanity and justice?

MR. MATTHEWS: I have some difficulty in following the question of the hon. Member, which is somewhat involved; but I may say that I have already suggested a variety of rules as to the sending of children to prison. I may further point out to the hon. Gentleman that it is a mistake to suppose that children, when sent to prison, are liable to be contaminated by older offenders. If the hon. Member will propose an Amendment in the sense he has indicated I shall be glad to consider it.

MAIL SERVICE TO SHETLAND.

MR. LYELL (Orkney and Shetland): I beg to ask the Lord Advocate whether the negotiations for an improved Mail Service of steamers to Shetland is concluded; and, if not, can he say what is the cause of the delay?

*SIR C. PEARSON (for the LORD ADVOCATE): I am informed by the Secretary for Scotland that the negotiations for an improved Mail Service to the Shetland Isles are still in progress, and it is hoped they may soon be brought to a conclusion; but the nature of the negotiations has not admitted of a more speedy decision being arrived at.

NEWFOUNDLAND.

MR. MORTON (Peterborough): I beg to ask the Under Secretary of State for the Colonies whether the exclusion of the Islands of St. Pierre and Miquelon from the Newfoundland Arbitration was made at the suggestion of Great Britain or of France?

BARON H. DE WORMS: The Islands of St. Pierre and Miquelon are French territory. There is no question relating to them which could come within the approaching arbitration concerning the catching and preparation of lobsters, or which either Government has at present proposed to refer to, or exclude from, arbitration.

MR. G. OSBORNE MORGAN (Denbighshire, E.): When will the Papers on the Newfoundland Fisheries question be issued? Will it be before or after the Recess?

BARON H. DE WORMS: A further batch of Papers on the subject are being prepared. They will include the Letter sent to the Secretary of State and the answer of the Secretary of State to that Letter.

HALF-TIME CHILDREN IN BIRMINGHAM.

MR. S. SMITH (Flintshire): I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to a statement made in the Report of Major Roe, one of Her Majesty's Inspectors of Factories and Workshops for Birmingham, that children leaving school before they can enter a workshop as full-timers become errand boys and girls until the age of 13 years, and that, as the technical school at Birmingham will not take half-timers, and the public elementary schools are generally deficient of accommodation, there is always difficulty in getting a half-timer into a school; and whether he will consider the means by which technical schools can be enabled to receive half-timers?

SIR W. HART DYKE: I have seen the Report in question, but in a previous paragraph to that quoted Major Roe states that the Birmingham School Board have themselves met the difficulty by raising the exemption standard to the sixth. There is nothing, so far as I am aware, to prevent a lad from attending a technical school half-time if the managers are willing to receive him; no case of such difficulty has, at any rate, been brought under the notice of the Department.

SLAVE TRADE IN MOROCCO.

MR. S. SMITH: I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been drawn to a statement made by the Secretary of the British and Foreign Anti-

Slavery Society in the *Times* of Friday last, alleging that in February of this year a caravan of 2,000 slaves, 1,200 of which were girls, arrived at Tendouf, and were sold at the fair to Morocco dealers; and whether the Government will draw the attention of Her Majesty's Minister in Morocco to this statement, with a view to the more effectual suppression of this slave traffic?

BARON H. DE WORMS (for Sir J. FERGUSSON): Attention has been drawn to the statement in the *Times*. It is unfortunately the fact that, notwithstanding the promises made to Sir John Hay in 1884, sales of slaves by public auction continue in Morocco. Sir Charles Euan Smith will be instructed to endeavour to secure the observance of those promises, but it would be unfair to the late Sir W. Kirby Green not to mention his exertions in a matter in which he took great interest.

ERZEROUM.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for Foreign Affairs whether any person, and, if so, who, has yet been appointed Her Majesty's Consul at Erzeroum to replace the late Mr. Clifford Lloyd; and whether there is any truth in the report that the Foreign Office contemplate changes in the present arrangement of Consulates and Vice Consulates in Asiatic Turkey; and, if so, whether he can state the nature of such changes?

BARON H. DE WORMS (for Sir J. FERGUSSON): No appointment has yet been made to the vacant Consulate at Erzeroum. Certain changes have been suggested by the Ambassador at Constantinople, but no decision has been arrived at. It would not at present be expedient to make a statement on the subject.

"EVELYN *V.* HURLBERT."

MR. SUMMERS (Huddersfield): I had intended to ask the Attorney General, since it is provided by 42 and 43 Vic., c. 22, that the Public Prosecutor shall institute criminal proceedings under the superintendence of the Attorney General, and that the Attorney General may in a special case direct the Public Prosecutor to institute criminal proceedings, whether, in the inquiries which he is making into the case of "Evelyn *v.* Hurlbert," the Public Prosecutor is acting, according to the statute, "under the superintendence of the Attorney General;" and whether he has given, or intends to give, the Public Prosecutor directions as to the action which he is to take, or to abstain from taking, upon the evidence in this case? At the request of the hon. and learned Gentleman I beg to postpone the question until Thursday.

CATECHISMS IN NATIONAL SCHOOLS.

MR. SUMMERS: I beg to ask the Vice President of the Council, in the absence of the First Lord of the Treasury, whether he is aware that in certain National Schools a catechism is taught containing the following questions and answers:—

"Q. Is it very dangerous to leave the Church? A. Yes; and it is also a very grievous sin. Q. Is it wrong to join in the worship of Dissenters? A. Yes; we should only attend places of worship in connection with the Church of England;"

and whether the Government will consider the advisability of excluding from the benefits of the Free Education Bill schools where such catechisms are taught?

MR. A. O'CONNOR (Donegal, E.): May I ask whether the right hon. Gentleman is aware that in certain Board schools doctrines which are not generally acceptable to those who venerate the Hebrew Scriptures, such as the doctrine of the Trinity and the observation of the Sunday, are inculcated, and whether the Government will consider the advisability of excluding from the benefits of the Free Education Bill all schools where religion is taught beyond the writing of the name of God with a capital "G"?

SIR W. HART DYKE: I must ask for notice of the question of the hon. Member for East Donegal (Mr. A. O'Connor). In reply to the question on the Paper, in the absence of my right hon. Friend, I may be permitted to say that I am not aware of the use in public elementary schools of such a catechism as that described; but unless the violation of the Conscience Clause was thereby involved, it is not clear upon what principle the Government would be justified in excluding a school

from the benefits of free education any more than from that of the ordinary Parliamentary grant.

*Mr. SUMMERS: I beg to inform the right hon. Gentleman that the catechism to which I refer is issued by the Church Extension Association, and I wish to know whether the teaching of such a catechism would be regarded as involving a violation of the Conscience Clause?

Sir W. HART DYKE: As the question involves a legal matter, I must ask the hon. Member to put it on the Paper.

THE "TRUST" SYSTEM.

Mr. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Chancellor of the Exchequer, in the absence of the First Lord of the Treasury, if his attention has been directed to a paper in the *Nineteenth Century* magazine, of this month, in reference to the alarming growth of the "Trust" system; and if he thinks the matter of sufficient importance to order a Government inquiry into it?

*The CHANCELLOR of the EXCHEQUER (Mr. Goschen, St. George's, Hanover Square): My right hon. Friend the First Lord requests me to say that the competition in this country is so great that he does not believe it possible for any length of time to control the markets, and he is of opinion that the attempt to do so would meet with the failure which it would certainly deserve.

THE FACTORIES AND WORKSHOPS BILL.

Mr. SYDNEY BUXTON (Tower Hamlets, Poplar): When do the Government propose to take the Factories and Workshops Bill?

*Mr. GOSCHEN: The First Lord of the Treasury prefers not to come under any obligation with regard to the consideration of the Factories and Workshops Bill on Report, but some days' notice will be given.

Sir H. JAMES (Bury, Lancashire): Will full notice be given of the day on which the Bill will be brought on?

Mr. GOSCHEN: Yes, Sir.

EXTRA POLICE IN WESTMEATH.

Mr. TUITE (Westmeath, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, having regard to the almost total absence of crime in Westmeath, he can now see his way to order the withdrawal of the extra police stationed in that county, and the discontinuance of the operation of the clauses of the Protection of Person and Property (Ireland) Act at present in force in the county?

The CHIEF SECRETARY for IRELAND (Mr. A. J. Balfour, Manchester, E.): The authorities responsible for the preservation of the peace in the County Westmeath cannot as yet recommend a further reduction in the number of the extra police in that county. The Protection of Person and Property Act is not in force in any part of Ireland, having expired in September, 1882; but, assuming that the hon. Member is referring to the Criminal Law and Procedure (Ireland) Act, 1887, I may say that a very small part of that Act is in force in the County Westmeath, namely, those portions of one sub-section which deal with cases of forcible possession of houses or land, and assaults on sheriffs or other ministers of the law.

THE BELFAST MAILS.

Mr. JORDAN (Clare, W.): I beg to ask the President of the Board of Trade if he is aware that the Great Northern Railway Company (Ireland) attaches the through Londonderry carriage to the Belfast Limited Mail at Portadown, behind the guard's van and at the end of the train; if the company has been remonstrated with and refused to make any change; and if such action is in contravention of the regulations of the Board of Trade; and, if so, will he take steps to have the matter remedied?

*Baron H. de WORMS (for Sir M. Hicks Beach): I have communicated with the company upon the subject of the hon. Member's question. They state that a through carriage from Londonderry to Dublin is run by the train from that city which connects at Portadown junction with the Limited Mail from Belfast to Dublin. For convenience in working, and to prevent delay, this carriage is attached behind the train at Portadown, and the entire train (including the Londonderry carriage) is fitted with the automatic vacuum brake. With this arrangement, the Board of Trade have no power to interfere.

FORTS IN THE LOWER SHANNON.

MR. JORDAN: I beg to ask the Secretary of State for War if all the forts in the Lower Shannon, namely, that on Scattery Island, Carrig Island, Tarbert, and Kilkerran, are to be dismantled; if so, why; if that on Scattery Island, the principal protecting fort at the mouth of the Shannon, or any of them will be re-constructed; and whether the war material will be removed from the several localities?

MR. E. STANHOPE: The forts alluded to in the question are all obsolete, and it is not proposed to reconstruct them.

DONAGHADEE.

MR. TUITE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state the population found to reside in Donaghadee, County Down, according to the Census taken during the present year?

MR. A. J. BALFOUR: The Census Commissioners report that no information regarding the population of Donaghadee has yet reached their office. The Commissioners will issue a Preliminary Report at the earliest possible date giving particulars with regard to population, and they point out that dealing with individual cases in the meantime would lead to much inconvenience.

THE PURCHASE OF LAND ACTS.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the Chancellor of the Exchequer what sum of principal and interest under the Purchase of Land (Ireland) Acts, 1885 and 1888, fell due on 1st May last, and how much of this has been paid; and what arrears now exist of any instalments of principal and interest falling due for payment before 1st May, 1891?

MR. A. J. BALFOUR: I have been asked by my right hon. Friend to reply to this question. The total amount of principal and interest which fell due under the Purchase of Land (Ireland) Acts, 1885 and 1888, for the half-year ended May 1, 1891, was £120,595; of this, £10,645 had been paid up to May 6. The total amount of principal and interest which fell due under these Acts from 1885 to November 1, 1890, was £518,792, of which £2,207 only is now unpaid.

EDUCATION IN IRELAND.

MR. M. HEALY (Cork): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will state, as bearing on the effect of the new rule (No. 8) of the Board of Intermediate Education in Ireland, the number of junior grade students who passed in June, 1890, being in their 13th year on the 1st June, 1890; the number in their 14th year on the date mentioned; the number of junior grade students who have sent in their names for the forthcoming examination in June, 1891, and who will be in their 13th year on the 1st June, 1891; those who will be in their 14th year on said date; the number of middle grade students who passed in June, 1890, and who had either attained or were under 15 years of age on the 1st June, 1890; and the number of middle grade students who have sent in their names for the forthcoming examination in June, 1891, and who will either attain or be under the age of 16 years on the 1st June, 1891? I beg also to ask the right hon. Gentleman whether it has hitherto been customary for students in the junior grade at the Irish Intermediate Examinations to make it a four years' course by increasing the number of subjects each year; whether, by No. 8 of the new rules of the Board of Intermediate Education in Ireland, teachers, and second year students in the junior grade, have been compelled, at six weeks' notice, to choose between entering for this year's examination, and thereby surrendering the chance of passing with honours in a future year, or to forfeit the whole results of last year's study by postponing their examination till next year; whether the rule operates with similar hardship in the middle and senior grades; and whether the operation of the rule will be postponed for two years, until it can only affect students who have had the benefit of a two years' course in the new preparatory grade? Whether the right hon. Gentleman is aware that No. 8 of the new rules issued by the Board of Intermediate Education

in Ireland has caused great dissatisfaction amongst the teachers and pupils concerned, and is likely to work great mischief and injustice; whether the rule in question is the result of, and the necessary consequence of, the new "preparatory grade," now for the first time introduced, and which is intended to take the place of the junior grade for the youngest class of students; whether as it now stands the rule will next year and afterwards affect students who this year pass a second time in the junior grade, who though they never got the benefit of the "preparatory grade," will thus be treated as if they had; and whether the Board will, by postponing the enforcement of the rule, for at least two years, prevent it from affecting retrospectively students so situate? I also beg to ask the right hon. Gentleman whether, under No. 8 of the new rules of the Board of Intermediate Education in Ireland, a student who passes this year a second time in the junior grade will be precluded from afterwards passing in that grade, though hitherto he might have passed in that grade four times; whether, accordingly, a student in his 14th year who this year passes in the junior grade for the second time will next year, though then only in his 15th year, be compelled to enter for the middle grade, which is intended for students in their 17th year; whether the rule operates in an analogous way on students for the middle and senior grades; and whether, owing to this, teachers and students are placed in a position of great embarrassment, their plan of study for the past year having been based on the assumption that the existing rules would not be altered, and this rule being now published for the first time six weeks before the coming examination?

MR. A. J. BALFOUR: The Assistant Commissioners of Intermediate Education report that the number of junior grade students who have sent in their names for the June, 1891, examination, and who will be in their 13th year, are as follows:—Boys, 312; girls, 66. Those in their 14th year are as follows:—Boys, 687; girls, 181. By Rule 8 (1892), students who may pass the examination in the present year in the junior grade, and who have previously passed, are precluded from presenting for examination again in that grade. By the same rule a student who has passed in the middle or senior grade prior to 1892 cannot present for examination again in the grade in which he has passed. Petitions for the postponement of the operation of the rule will be before the Board at their next meeting. The Assistant Commissioners of Intermediate Education report that from letters which have been received by the Board it would appear that some teachers and students are dissatisfied with the date at which Rule 8 will come into operation. The rule in question is not the result of, and the necessary consequence of, the new preparatory grade. It was adopted by the Board independently of consideration of a preparatory grade. Students who may pass the examination this year a second time in the junior grade cannot, under the rule referred to, afterwards present for examination in that grade. Petitions for the postponement of the operation of the rule will be submitted to the Board at their next meeting. A student who has completed his course in the junior grade in his 14th year, and has not obtained an exhibition, is not compelled to proceed at once to the middle grade. Neither, under similar circumstances, is a student who has passed the examination in the middle grade compelled to proceed in the following year to the senior grade.

CORK MAILS.

DR. KENNY (Cork, S.): I beg to ask the Postmaster General if, in view of an accelerated mail service between the City of Cork and the west of the County of Cork, embracing the districts around Bantry and Skibbereen, an arrangement would be made by which the town of Clonakilty and its surrounding district, extending westward to and including the town of Rosscarberry, would be served in like manner as Bantry and Skibbereen?

THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The question whether any improvement can be made in the Day Mail Service in West Cork is now under examination, and no time shall be lost in coming to a

conclusion. I will bear in mind the hon. Member's wishes as regards Clonakilty and Rosscarberry.

MR. JOHN CULLINANE.

MR. M. HEALY (for Mr. T. M. HEALY, Longford, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the present condition of Mr. John Cullinane in Tullamore Gaol; and how was it the prison doctor mistook his disease for influenza, when he was suffering from acute typhoid?

DR. TANNER (Cork Co., Mid) also asked whether it is a fact that Mr. John Cullinane, P.L.G., at present in Tullamore Gaol, is suffering from typhoid fever; if so, why, and on what specific medical authority, was it stated that he was suffering from influenza; whether typhoid fever is, or has recently been, existent in Tullamore Gaol; and what means are, or have been, adopted to stop it?

MR. A. J. BALFOUR: With the permission of the House I will reply to both of these questions at the same time. The General Prisons Board report that Mr. Cullinane is at present suffering from typhoid fever. It was stated at first to be severe influenza on the authority of the medical member of the Board, as the suddenness of the attack and the other symptoms at the outset resembled much more influenza than typhoid fever. Typhoid fever exists in Tullamore Prison; most of the cases began on the same day. Amongst other means adopted to prevent the extension of the disease have been the use of disinfectants and the boiling of the water and milk used. The Report received today from the prison is that all the patients are doing well.

MR. SEXTON (Belfast, W.): When typhoid fever broke out in the prison how many persons were there, and how many were attacked? Will the prisoners who have not been attacked be allowed to remain in the prison?

MR. A. J. BALFOUR: I must ask the hon. Member to give notice of his questions.

MR. SEXTON: But this is really a very serious question. Will they be removed from the scene of the infection?

MR. A. J. BALFOUR: Of course, I am aware that it is a serious matter, but the patients, as I have stated, are all doing well, and there is no apprehension of any fatal result.

MR. MAC NEILL (Donegal, S.): Is the right hon. Gentleman aware that typhoid fever broke out in Londonderry Gaol, and that three prisoners died before they could be removed?

MR. A. J. BALFOUR: My recollection of the fact is somewhat different. I should like to have notice of the question.

MR. M. HEALY: Do I understand the right hon. Gentleman to say that the statement that Mr. Cullinane had influenza was made not on the authority of the medical officer of the prison, but on that of a member of the Prisons Board? What was the opinion of the medical officer of the prison?

MR. A. J. BALFOUR: I have no information that will enable me to answer these questions, and am, therefore, obliged to ask for notice.

MR. MAC NEILL: Is the right hon. Gentleman aware that, according to the Attorney General for Ireland, it was a mistake of the medical officer to call the complaint influenza?

MR. A. J. BALFOUR: I believe the medical member of the Board came to the conclusion that it was influenza, but subsequently it showed itself to be typhoid fever.

NEW MEMBER SWORN.

William Ernest Brymer, esquire, for the County of Dorset (Southern Division).

ORDERS OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 6.

*(4.35.) MR. KEAY (Elgin and Nairn) moved to omit Sub-section 3, which provides as follows:—

"The Treasury, in communication with the Lord Lieutenant, may authorise by order addi-

tional advances in the county not exceeding the capital value for the time being of that part of the Sinking Fund which has been accumulated out of the Sinking Fund payments paid out of purchase annuities in the county, and such capital value shall include the capital of any guaranteed land stock redeemed by the said payments."

The hon. Member said: The object of my Amendment is to secure that the Guarantee Fund shall be kept in a solvent state, so as to be able to pay off all the purchase annuities in the event of default. The object of the Amendment is strictly analogous to that which was put forward by the Chancellor of the Exchequer as the object of the Government in a statement in reply to me, which he did me the honour to make on the 26th of January. The solvency of the Guarantee Fund has been all along the boast of Her Majesty's Government—so much so that they have described its solvency over and over again as the distinctive feature of their Bill. The existence of this supposed competent Guarantee Fund formed, in fact, their sole excuse for bringing forward this Bill after having vehemently opposed the Land Purchase Bill of the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) in 1886. The reason they have assigned is that the Bill of the right hon. Member for Mid Lothian had no Guarantee Fund, and they therefore objected to the British taxpayer incurring a risk. They professed to have changed all that by interposing a complete financial and arithmetical buffer between the British taxpayer and the Irish tenants in the shape of a Guarantee Fund. My contention is that the re-lendings under this sub-section will bankrupt the Guarantee Fund, relying upon the perfect stability of which the House has been induced to pass the Second Reading of the Bill. Assuming the money to be advanced and re-lent as provided by the Bill, there is the certainty of deficits increasing from year to year.

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The fallacy of the hon. Member's argument lies in the assumption that if the tenants do not pay, the Government will still go on re-lending. When deficits arise from the tenants not paying, the re-lending would stop that moment.

*MR. KEAY: According to the Bill, the re-lending would go on, or might go on.

*MR. GOSCHEN: Subject to the sanction of the Treasury. Surely the Treasury would not go on re-lending when they were not paid.

*MR. KEAY: It is not for me to argue whether the Treasury are likely to betray their trust. The Bill would sanction re-lending, although every penny of the deficit was being paid out of the Consolidated Fund.

*MR. GOSCHEN: That is a most impracticable hypothesis. No sane Government would go on re-lending when there was a universal strike, which is the only thing that would lead to a deficit. This is not practical politics.

*MR. KEAY: I am not discussing whether it is practical politics; I am talking about what is possible under the Bill. If the power is so enormous that no Treasury would use it, why put it in the Bill? The operation under this Bill would be this: The original loan we are in the habit of roughly estimating at £30,000,000. Then I say that the operation of this clause would be to increase the lending of this £30,000,000 during the first 49 years to no less than £72,000,000 sterling of gross advances. If the powers are continued as this Bill provides for a further period of 49 years, and the re-lending is to go on, the gross advances will amount to £200,000,000 more. I limit my arithmetical argument, however, to matters affecting the more immediate operations of the Bill. The Chancellor of the Exchequer stated the other day that the right hon. Member for Derby (Sir W. Harcourt) was not a good accountant, and always appeared to be in a hopeless fog when he had to deal with an array of figures. It is no part of my duty to defend the right hon. Member for Derby, but I believe I can show that the Chancellor of the Exchequer himself, as well as the Chief Secretary, has become considerably fogged in regard to the arithmetical arrangements of the Bill, so far as the re-lending clause is concerned. What is the fact with regard to the re-lending clause and its operation? Instead

of its being, as we have been assured, a solvent fund, the Guarantee Fund becomes utterly bankrupt on the occasion of the first re-lending of the very first sum of £300,000 at the end of the first 12 months' operation of the Bill. I do not know whether the right hon. Gentleman is going to deny it, for he will neither nod nor shake his head, but I will now ask from him what I have never been able to get before, *i.e.*, a clear reply as to hard arithmetical facts. The right hon. Gentleman gave us a Return dated the 30th January last, and I will, from calculations I have made based upon that Return, prove the assertion I have made. I assume, first, that the £30,000,000 have been lent, and that the re-lending has commenced on a full scale. The first deficit would arise in 12 months, and it would amount to £12,000, and it will increase largely year by year.

*MR. GOSCHEN: Will the hon. Member explain what he means by a deficit?

*MR. KEAY: The sum by which the Guarantee Fund will fall short of the possible liability. What does security mean unless it is that you are contemplating some risk? I say if you put a power into this Bill, which the right hon. Gentleman confesses is so enormous that no decent Treasury would ever act upon it, then you are bound to put in an Amendment limiting it so that a properly constituted Treasury might comply with it. I am not responsible, I am glad to say, for the muddled wording of this Bill. My second reply to the right hon. Gentleman's question is this: I am contemplating a default being committed at a given date, and I say that if a total default takes place at the end of the first 12 months, there will be a deficit in the Guarantee Fund of £12,000. If it takes place at the end of the first 10 years, then, as more re-lending will have taken place, and as more unguaranteed obligations will have been incurred, the deficit in that year alone will amount to £131,000. Suppose the tenants go on paying for 20 years, and there is then a default, the deficiency will amount to £334,000. If there is a default in the 30th year, it will be £628,000. That is my calculation, although the Chancellor of the Exchequer in his Return puts it at £645,000.

*MR. GOSCHEN: Not a deficit.

*MR. KEAY: The right hon. Gentleman calculates that the annuities will amount to £1,845,000, while the fixed income of the Guarantee Fund will only be £1,200,000. I will carry the calculations further. If there is default in the 40th year the deficiency will be £1,055,000, and in the 49th year the difference between the Guarantee Fund and what is due from the tenants will amount to £1,700,000. In every year, from the first to the 49th, there may be annually increasing deficits amounting in the aggregate to £28,000,000, and that on the re-lendings of an original loan of £30,000,000. I ask—is it not the case that the Government have concealed this fact from the House of Commons? I, and other hon. Members of greater weight than myself, have often questioned the Government on the point, but all they have done has been to deny the existence of a deficit. What did the Chief Secretary say in his speech of last year? He was speaking of the impossibility of loss to the taxpayer, and he said the funds in hand would cover any possible default; and when three days after I attempted by figures to disprove the assertion the Chancellor of the Exchequer stopped me by raising a point of order. The right hon. Gentleman could not summon the courage to analyse the figures. I saw that they were painful to him. I showed that he had given himself credit for possessing a comfortable yearly sum of £1,600,000 to meet a possible default of £1,200,000, whereas, in point of fact, the only real item on which he could count was a sum of £229,000. The right hon. Gentleman and the Committee will remember that he used a remarkable expression in defending the Bill. He said it was a mathematical impossibility that loss should fall on the British taxpayer, the reason being that he had sufficient funds in his own hands, which no one could take from him. His remark on that occasion had great weight with the House. He said—

"The third degree of impossibility which I may describe as a demonstrable or a mathematical impossibility is that the Treasury, which not only is precluded from advancing money

beyond the capitalised value of the Guarantee Fund, but which has also, in addition, the collateral guarantees, of which I have already spoken, should in any conceivable circumstances be one penny the worse."

After that he went on to say—

"Some of these points may be open to argument, though I think not; but that it is mathematically impossible for the Treasury to suffer—this is not open to argument."

No doubt the right hon. Gentleman in using such language was strictly adhering to what he believed to be the truth—to what he thought to be his book. He meant to say he had enough money in the Guarantee Fund to cancel all the tenants' obligations if default were committed.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The hon. Gentleman must not suppose that I accept his interpretation of the words.

*MR. KEAY: I do not suppose the right hon. Gentleman will accept any interpretation of his speech from me. But I am giving the words from *Hansard*—words which have been carefully revised and edited by the right hon. Gentleman himself. Now let me come to the effect that these words had on the House. What was the interpretation placed upon them by the right hon. Gentleman the Member for West Birmingham. That right hon. Gentleman, it will be remembered, in 1886 opposed the Land Purchase Bill upon the specific ground of risk to the British taxpayer. But on the occasion to which I am now referring—the occasion of the Second Reading of last year's Bill—he said he was pleased to find himself, in consequence of the assertion of the Chief Secretary, able to support the Government on this occasion, because this absolutely valid and mathematically solvent Fund — the Guarantee Fund—had been interposed. The right hon. Gentleman went the length of staking his political consistency on the result. He said—

"The question between us now as to inconsistency is to be decided by the answer to this question—Whether there is a burden on the British taxpayer under this Bill, and not only whether there is a burden but whether there is risk of burden."

And he added—

"If there is the slightest fraction of risk then I am inconsistent in supporting this Bill."

Again, the right hon. Gentleman continued—

"I say, for the sake of this argument, you have to assume that it would not be fair to rest upon the probabilities of the case. I have, in order to make my case good, to prove that the loss is impossible. It is not enough to say it is so improbable as to be almost impossible."

That was very frank. Again—

"Supposing you have a general repudiation, you have in your hands sufficient resources to bring you home without the loss of a penny. What have you to do? By the hypothecation of the local resources we practically capitalise a payment which we have contracted to make to the Irish Local Authorities. We are under a contract, under an obligation to pay to the Irish Local Authorities so much per annum. We capitalise this sum, and hand it over for Irish purposes, and then we have a right to come upon the annual sum if there is any deficiency. I say, then, in these circumstances, that you have got an absolute security—an inalienable security."

Now, it is not for me to attempt to prove inconsistency on the part of the right hon. Gentleman, but I do find it necessary to carry the matter one step further, and to show that the Chief Secretary adopted the same frank view that the annual income of the Guarantee Fund would be sufficient to meet the whole annual default. [*Cries of* "Divide!"] It is all very well for hon. Members opposite to try and prevent me speaking by crying "Divide!" I must finish my remarks, and their cries only delay me. Their object, I know, is to prevent my arguments being properly heard and appreciated by the Committee, and it is curious that whenever I come to a crucial point their noise is the loudest. I can assure them that their policy will not succeed. The Chief Secretary's speech on the Second Reading entirely bears out the view that the Government pledged themselves to the country and to their supporters that their Guarantee Fund would furnish ample income to cover the annual liabilities in case of default. To prove that, all I need mention is this: The right hon. Gentleman himself provided me with the necessary illustration. He asked what would take place with regard to an Irish landlord who was in the habit of spending the equivalent of his rents on his estate and whose rent for a particular year was withheld by the tenants. He challenged the House to say that any injury could take place, and he said

"I accept then, and I ask this House to accept, the possible effects of a universal repudiation as a contingency which is to be contemplated, and contemplated equally, whether we have or have not the support of the Irish Members."

Then he says—

"Do you think the Plan of Campaign would ever have been started, or, if started, would ever have succeeded, on an estate on which all the rent which a landlord derived from the land was given back in the form of local contributions to the neighbourhood?"

He went on to say—

"All a landlord would have to do would be to diminish his contributions, shilling by shilling, as the payment of rent was reduced."

The right hon. Gentleman said—

"That is precisely the position of the British Exchequer with regard to contributions towards Irish local purposes."

Now, I think I have, from the mouth of the right hon. Gentleman, proved most thoroughly that his position from first to last, and upon which the House has been encouraged to accept this Bill, has been the absolute validity of the Guarantee Fund to meet default in any possible case. It is unpleasant to the Government to have to recur again to the facts of the case, but the Chancellor of the Exchequer has put before us, in the form of a Return, figures which give the astounding result that the whole of the re-lendings, amounting to £42,000,000 at the end of 49 years, are absolutely unsecured by the Guarantee Fund in any form whatever. [*Interruptions.*] There was one remark from the Chief Secretary which I must deprecate. It will be in the recollection of the Committee that a few days ago, when the hon. Member for Northampton endeavoured to raise another point touching the question of the solvency of the Guarantee Fund, the right hon. Gentleman got up and said that the point had been completely threshed out on the First and Second Reading Debates on this and the last Bill—that everything had been said that could be said, and that he declined to say anything further. Now, I give this statement an absolute and categorical denial. This point was not alluded to, and in fact it was not known on the First and Second Reading, and I was the only Member who, even in a perfunctory manner, then alluded to it—not to the insolvency of the Guarantee Fund in consequence of re-lending, which is the present point, but to the insolvency of the Guarantee Fund in consequence of the admission of the Ashbourne Act moneys into the last Bill. That was the point raised. [*Interruptions.*] The right hon. Gentleman was able to reply that the Ashbourne Act money was excluded from the Bill, and I accepted his statement and sat down. But a reference to the Record of the Debates will show that there was not a semblance of a statement made by the Government in explanation of the fact which now has been placed before the Committee for the first time—the insolvency of the Guarantee Fund from inability to meet the instalments arising from re-lending. The right hon. Gentleman had the audacity to declare I had discovered a mare's nest; but he did not destroy this mare's nest. I am sorry to have detained the Committee so long; I intended to be more brief. I ask the Government, I challenge the Government to show that they have been honest and fair with the House of Commons in this matter—to show that they did not obtain the Second Reading under a false pretence and by hiding away these gigantic deficits. I charge them with having stultified their majority, by calling upon them to pass the first clause of the Bill, which has enacted an arithmetical impossibility. The first clause enacts that the Guarantee Fund shall pay back the temporary advances from the Consolidated Fund, yet the Committee now know that under the re-lending business the deficit in the Land Purchase Account will be so much beyond its income that it will be impossible for it to carry out the functions which the Government ordain it shall perform.

Amendment proposed, in page 7, line 24, to leave out Sub-section 3.—(*Mr. Keay.*)

Question proposed,

"That the words 'The Treasury, in communication with the Lord Lieutenant, may authorise by order additional advances in the county,' in line 25, stand part of the Clause."

*(5.24.) MR. GOSCHEN: The hon. Member who has just sat down said he hoped he should have a succinct reply from this Bench.

*Mr. KEAY: Clear and succinct.

*Mr. GOSCHEN: Clear and succinct. I cannot say that his speech has either of those qualities. Had the hon. Member brought out his point clearly in earlier Debates we should have been able to put our finger on the particular fallacy. If we have failed to find out his point I am sure there are many Members on his side of the House in exactly the same position, who have been unable to discover what particular mare's nest it was that was agitating the hon. Member. Where is this fated point where bankruptcy is impending over us? The hon. Member has wasted a great deal of unnecessary time in pointing out that in all the loans under this Bill we must not run the risk of any loss.

*Mr. KEAY: I said the security of the Guarantee Fund.

*Mr. GOSCHEN: With the security of the Guarantee Fund.

*Mr. KEAY: That was the Government statement.

*Mr. GOSCHEN: No; the statement of the Government was there was no loss to the taxpayer. By this we stand, and I can prove to the Committee there is no risk to the British taxpayer. I think I can put the matter clearly in a few sentences. The hon. Member is anxious to prove there will be an accumulating deficit. He has placed an estimate before the House or before the public in another way, that there will be an accumulating deficit long after there is a general strike, and says the Bill authorises this.

*Mr. KEAY: No such argument was ever put before the House or the public by me. I said the Bill provides for it.

*Mr. GOSCHEN: I think the hon. Member has put a statement forward that from £8,000,000 a deficit will accumulate year by year.

*Mr. KEAY: If the right hon. Gentleman will allow me I will correct him. The deficiency I alluded to in a former Debate. I said, if a default occurs on a particular year naturally it will go on to the next years. It would be a default not in one year only but a total default. Thus if it began at £1,000,000 there might be £10,000,000 advanced from the Consolidated Fund before the annuity was completed.

*Mr. GOSCHEN: The hon. Member assumes there is default at a certain date. He assumes that annuities may have arisen to £1,800,000 while at the same time the Guarantee Fund only amounts to £1,200,000 and he calls the difference a deficit. But he leaves out of view that at the moment we should hold £16,000,000 sterling either in securities or in Land Stock itself, and if in Land Stock then £16,000,000 would be cancelled, and there would never be more Stock out than £30,000,000. And for this sum the Guarantee Fund of £1,200,000 is complete security. Either you hold securities in hand or the Stock itself. If you have the Stock you cancel it up to £30,000,000. At no time are you in a position when you have not securities in hand, at no time will you have more Stock to pay upon than £30,000,000. The point omitted by the hon. Member, and on which his fallacy rests, is neglecting this security altogether. In Consols or Land Stock the Government will always have this security.

Mr. LABOUCHERE (Northampton): In how many years would the fund be able to pay beyond 49 years? In the 30th year it will be broken down.

*Mr. GOSCHEN: As we have endeavoured to explain, there cannot be loss to the taxpayer—for the amount of Stock out will never be more than £1,200,000 would cover—no loss will arise from re-lending, only a retardation.

(5.33.) Mr. LABOUCHERE: The point is a very simple one. Take the 30th year. As the Committee know perfectly well, the whole basis of this Bill is that £1,200,000 of Irish taxes comes into our hands and is to be held as cover in case annuities are not paid. But by using the Sinking Fund in your business, that is to say by re-loans, in the 30th year your interest amounts to £1,800,000, against a cover of £1,200,000.

*Mr. GOSCHEN: Besides, you have £16,000,000 invested.

Mr. LABOUCHERE: Yes, invested in land. ["No!"] Do I understand that the Sinking Fund is not to be invested in land? Let the right hon. Gentleman show us that in the clause. We seem to differ on the construction of the clause. £30,000,000, as we will call

the sum, for the sake of argument, is to be invested in land, and of course the 1 per cent.

*MR. GOSCHEN: There is where the fallacy arises. The Sinking Fund is not invested in land. It consists of cash in the first instance. One per cent. on £30,000,000—that is £300,000—is paid over to the National Debt Commissioners, and they invest in Land Stock or Consols, or any interest bearing security, but not in land. They hold the £300,000, and, as fresh advances are made, they hold an equivalent amount.

MR. LABOUCHERE: It may be my stupidity, but it is not at all clear to me. Let the money pass through any Department in London, these £300,000 are invested in land.

*MR. GOSCHEN: The National Debt Commissioners, to whom the money will be paid over, will invest it in Consols or other securities. Therefore, there will be the interest of the money, and the tenant is also paying an annuity on the amount, so that there will be a double resource.

MR. LABOUCHERE: The right hon. Gentleman is using his money twice over. Take the 30th year, when the annuities will amount to £1,800,000 against a cover of £1,200,000. Then suppose that the tenants repudiate, that from political or other reasons there is a general strike. What my hon. Friend is contending for is this—that if at any time the tenants do not pay, all the Sinking Fund will be lost, and we shall have to begin again *ab ovo*, and pile it up for 40 years additional, in order to get back our £30,000,000.

*MR. GOSCHEN: There will be a retardation, but not a loss.

MR. LABOUCHERE: I do not think this was understood when the Bill was read. Our whole opposition is founded on the great risk, and I think my hon. Friend has put the difference between himself and the Chancellor of the Exchequer with great clearness.

*MR. GOSCHEN: The Ministry of the day represent the majority of the day, and the Treasury would deal with what can only theoretically be considered a universal strike against the payment of annuities.

MR. LABOUCHERE: But as I understand, the Government refuse to give this power to the Treasury.

*MR. GOSCHEN: The hon. Member will observe that under the 3rd section of Clause 6—

> "The Treasury, in communication with the Lord Lieutenant, may authorise by order additional advances in the county, not exceeding the capital value for the time being of that part of the Sinking Fund which has been accumulated out of the Sinking Fund payments paid out of purchase annuities in the county, and such capital value shall include the capital of any guaranteed land stock redeemed by the said payments."

*(5.47.) MR. SHAW LEFEVRE (Bradford, Central): It must be assumed that the Treasury will act wisely, and if there are defalcations will not go on re-lending; but I do think there should be some clause to prevent re-lending if there are defalcations in a particular district. I agree also with the right hon. Gentleman that, assuming general defalcations and a total failure of the Guarantee Fund, there will not be a loss of more than the original advances of £30,000,000; but will the right hon. Gentleman explain where, under the Bill, the Government take power to retard the operation of the Sinking Fund in the manner he has described by creating a new Sinking Fund?

*MR. GOSCHEN: The right hon. Gentleman will find this provided for at the end of Clause 1. There is nothing in the Act to limit the Guarantee Fund to the first 49 years. So long as there is anything owing to the Consolidated Fund, whether it is 49, 59, or 69 years, the security of the Guarantee Fund will continue to exist.

(5.50.) SIR G. CAMPBELL (Kirkcaldy, &c.): This is a more or less academic discussion, and would be more suited to the Statistical Society than the House of Commons. It is very difficult to understand the remarks of the hon. Member for Elgin (Mr. Keay), and a great deal more difficult to understand those of the Chancellor of the Exchequer. I think, however, it is perfectly clear that if at the end of 30 years there is a strike, your Sinking Fund operations will be dislocated, and you will retard the re-payment of the money for 30 years, that is to say, till the end not of 49, but of 79 years.

*Mr. SHAW LEFEVRE: I wish to point out that the effect of the retardation would be to throw the obligation of re-payment on future ratepayers, as the period of payment would be extended over 30 years further. I would ask the Chancellor of the Exchequer whether it is worth while to go on with the scheme of re-lending? The money that would be re-lent from year to year would be so small for a great number of years that it would really be insignificant. For many years the sums re-lent could be no more than £300,000 a year; they would increase by slow degrees, and it would not be for 30 or 40 years that they would reach £1,000,000 a year. I would venture to ask the Chancellor of the Exchequer whether it is worth while to enter into a scheme of so difficult and complex a character for the purpose of lending not more than £300,000 for years to come? It appears to me that the scheme is a great financial puzzle, the offspring of a brain that has been devoting itself to the subject of post-obits, and I think it is scarcely worthy of financial consideration by this House.

*(5.55.) Mr. GOSCHEN: In answer to the right hon. Gentleman's question, I may say that we shall proceed county by county, and it is therefore unnecessary to think of a general strike; but theoretically if there was that general strike, the generation striking would have to reckon with the ratepayers of the future. We are not prepared to abandon the re-lending scheme, but it is possible that the Sinking Fund may increase beyond £300,000.

Mr. LABOUCHERE: The right hon. Gentleman has said he accepts the possible effect of universal repudiation as a contingency that has to be contemplated. The main object of the Guarantee Fund has been to meet that contingency. I really think it would be desirable, and would tend to smooth over matters, if the right hon. Gentleman the Chancellor of the Exchequer were to listen to the suggestion made by my right hon. Friend the Member for Bradford (Mr. Shaw Lefevre), and decline to re-invest the Sinking Fund in land in Ireland. What we ask the right hon. Gentleman to do is to a certain extent complimentary to him. We say we prefer "Goschens" to land security in Ireland. If the annuities are re-invested in Consols each year, we shall know what we are about, and can rely upon it that at the end of a given number of years, provided that 1 per cent. be paid, we shall be absolutely certain of our money. I think we have a right to ask, after the pledges given at the last election against throwing any liability on the British taxpayer, that we should have every legitimate security, and that the taxpayer should be absolutely covered.

(5.59.) Mr. A. J. BALFOUR: The hon. Member does not seem to have grasped the point. I fear that the hon. Gentleman (Mr. Keay) behind him suffers from invincible ignorance, and that nothing I say will convince him. The hon. Member for Northampton seems to think that we increase the theoretical risks by re-lending. I do not think so. The re-lending under the Ashbourne Act did increase the theoretical risk, and it is in order to keep the Bill not only practically but mathematically sound that we keep out of it any power of re-lending under the Ashbourne Act. We retain the power to re-lend under this Bill, and we do not admit in the least degree that that destroys the theoretical security. The hon. Member appears to think that money is to be re-lent on the security of Irish land. That would be the case if it were re-lent under the Ashbourne Acts, but it is not the case under this Bill. For what is re-lent above the £30,000,000 there will be not only the security of the holding on which it is lent, but there will be a nominally equal sum invested either in Consols or in Land Stock or some other security. The hon. Member for Northampton has been misled by the hon. Member behind him, who has really got into such a muddle on this question that it has almost got on his brain. Let it be thoroughly understood that the money is not re-lent solely on the security of the land; but there is, in addition, an investment either in Land Stock or Consols, whichever the National Debt Commissioners may choose.

(6.4.) Sir G. CAMPBELL: It seems to me that every speech makes the matter more obscure, and that the diffi-

culty might be met by withdrawing the sub-section. Its withdrawal would make very little difference, seeing that what is done in the future will depend upon the will of the Parliament or the Government of the day. If the provision be retained, it will have a great effect on the progress of the Bill.

MR. LABOUCHERE: The hon. Gentleman forgets that when you have got a Sinking Fund you cannot stop, but must go on and work it out. I fully admit that the Chief Secretary for Ireland is a most able gentleman; but I do not think the Chancellor of the Exchequer has been able to make clear to him what will occur under this Bill. If the right hon. Gentleman does understand it himself, he has endeavoured to fog us. Nothing in the world is more simple than the provision. There is all the difference between re-investing the 1 per cent. in Consols, which are safe, and re-investing it in land, which is involved in the same risk as the original £30,000,000. But you do more than that—you invest the interest after the second year. As my hon. Friend has said, at the end of your 49 years you will have lent £72,000,000. If the whole thing were repudiated, it is perfectly true that we should only have paid the £30,000,000; but our risk is not upon the £30,000,000, but upon the £72,000,000, and, consequently, if one-half were repudiated, you would still lose your £30,000,000. I despair of convincing any hon. Gentleman who does not see the difference between investing your dividends in speculative business and investing them in Consols.

(6.8.) MR. H. H. FOWLER (Wolverhampton, E.): I do not agree with my hon. Friend that this is a very simple subject; and I am bound to say that if the question were within the domain of practical politics, I think I should have considerable difficulty in following the arguments of the Chancellor of the Exchequer and the Chief Secretary. I do not, however, think it is within the domain of practical politics. To incur the risks suggested there must, in the first place, be general repudiation, which I do not think likely; and, in the second place, the provision cannot come into operation for a considerable number of years. I should like some further information from the Chancellor of the Exchequer on this most perplexing and difficult subject. I am really asking for information, and not in the way of dogmatic criticism. The Chief Secretary has just said that if we re-lend the £1,200,000 we shall realise as much from it as if we invested it again. My point is this, that under this principle of loans you will want the whole £1,200,000 a year every year up to the last, in order to repay your original £30,000,000. Let us take the sum of £10,000, and suppose it to be lent at 4 per cent. £400 a year would in 49 years replace both principal and interest, and that is the way in which we now pay the National Debt by terminable annuities. Thus you will want your whole £1,200,000 every year in order to repay your original £30,000,000; that is to say, when you had paid off £29,000,000 you would still require the whole of the £1,200,000. Now, let me take the operation of the Sinking Fund with the proposed re-lending. At the end of the first year you would have £300,000 to be invested in Consols or other securities. The interest on that would be £7,500, and the annuity obtainable by re-lending would be £12,000 a year. Assuming repudiation, the deficiency would be the difference between the interest on the Consols and the annuities paid by the Irish tenants. But it is assumed that you are going to re-lend the actual money which forms the Sinking Fund, but, as I understand it, the Government do not propose to re-lend that £300,000; they create Land Stock as against that investment, and that is not re-lending it.

MR. LABOUCHERE: It is the same thing.

MR. H. H. FOWLER: No; it is not the same thing, because they have £300,000 on which interest is paid at $2\frac{3}{4}$ per cent., and this is invested somewhere else and is producing interest. This, I think, clears up much of the complexity surrounding this matter. It is not a re-lending.

MR. LABOUCHERE: Will the right hon. Gentleman say whether the original £300,000 is cancelled or not?

MR. H. H. FOWLER: That is a mere matter of detail and is unimportant, because, if cancelled, they have not to pay the interest. I want to ask the Chancellor of the Exchequer whether there would not be a difference between the sum received from the investments and the sum which ought to be received from the Irish tenant, but which on the hypothesis of a general repudiation would not be payable—say £7,500 as against £12,000?

*MR. GOSCHEN: I have to thank the right hon. Gentleman for his clear speech on this subject. In reply to his question, I would state that no doubt there would be a difference between the interest on the Consols and the annuity. That difference would consist of two things, namely, the 1 per cent. of the Sinking Fund and the ¼ per cent. which would go to the County Authority. In the result it comes to this: that there would be no risk to capital and no risk to income. All that would happen would be that the whole operation would have to be repeated, and the Sinking Fund would have to be set up afresh, thereby prolonging the number of years.

(6.18.) MR. MORTON (Peterborough): I think the hon. Member for Elgin has proved his case up to the hilt. If you go on re-lending you might have to pay £1,800,000 per annum out of £1,200,000. You will be deceiving the British public. If I may accept the authority of the *Times* and *Standard* newspapers, the right hon. Gentleman the Chief Secretary is the person who is responsible for the muddle that has been made of this Bill. We are now told that the Sinking Fund will be invested in Consols, and the right hon. Gentleman calculates the interest at 2¾ per cent. You may get that for a time, but not for long; and when the paper I hold in my hand was calculated, it is evident he did not mean to invest the money, but to buy up Land Stock, or something of that sort. We are told that there is to be no re-lending, but that the Sinking Fund is to be accumulated, and you are to have fresh loans. But I do not see that either the Chancellor of the Exchequer or the Chief Secretary have at all cleared up the question as to the cover for the security to be provided for the British public. I shall vote against this sub-section, because I do not think any Government should have the right of lending beyond the original £30,000,000 without coming to this House for fresh authority. Hitherto the House of Commons has never allowed any Department to go on lending and re-lending money without its authority, and therefore we have a right to say that no such power should be exercised in this instance, especially as we are told that it may lead to advances amounting to the enormous total of £200,000,000 sterling.

MR. A. J. BALFOUR: I move "That the Question be now put."

THE CHAIRMAN: I am very reluctant to put such a Motion, but I am bound to say that I think the time has arrived when there should be an end to the discussion on this point.

(6.23.) Question put, "That the Question be now put."

The Committee divided:—Ayes 172; Noes 114.—(Div. List, No. 204.)

(6.35.) Question put accordingly,

"That the words 'The Treasury, in communication with the Lord Lieutenant, may authorise by order additional advances in the county,' in line 25, stand part of the Clause."

The Committee divided:—Ayes 191; Noes 97.—(Div. List, No. 205.)

(6.48.) MR. SEXTON (Belfast, W.): By this sub-section it is provided that—

"The Treasury, in communication with the Lord Lieutenant, may authorise, by order, additional advances in the county, not exceeding the capital value for the time being of that part of the Sinking Fund which has been accumulated out of the Sinking Fund payments paid out of purchase annuities in the county; and such capital value shall include the capital of any guaranteed land stock redeemed by the said payments."

I propose to leave out from "not," in line 25, to "payments," in line 30, and insert the words which stand in my name. It will be seen on examination that, in the first place, the clause, as it stands, provides that the share of the county in the Guarantee Fund is inalienably devoted to that county. It appears to me that the Government have scarcely considered what will occur if at any time it becomes quite clear a county is not disposed to exhaust its share of the Guarantee Fund. It may be said this is an eventuality somewha

remote, but it may occur, and I think it is desirable we should provide against it. Suppose that after the lapse of years, and when most of the counties have exhausted their shares, it becomes apparent that some particular county or counties are not disposed to carry into effect the policy of land purchase so far as to exhaust the financial share of the Guarantee Fund appropriated to it or them, would the money or the Stock to that extent be allowed to go to waste? One of the objects of my Amendment is to secure that in case any county or counties should not exhaust their share of the Guarantee Fund, the residue may be available, at the discretion of the Lord Lieutenant, for use throughout the country where it may appear to be required. Then the Chief Secretary provides that an amount of Stock equal to the capital value of the Sinking Fund accumulated in any county may be appropriated to that county. Suppose that the share of the Guarantee Fund proved to be enough, and the county does not require its share of the Sinking Fund, what is the propriety, what is the common sense, of locking up the share of the Sinking Fund by attaching it to a particular county, if it should appear that that county had no desire to use its share of the Sinking Fund, and another county was prepared to use the money? I propose that the residue so left may, at the discretion of the Lord Lieutenant, be applied to any county in Ireland. I now come to the third point of my Amendment, and that relates to what is popularly called the repayments under the Ashbourne Acts. In last year's Bill the Government proposed that the moneys coming in under the head of repayments under the Ashbourne Acts might be applied for the purpose of fresh loans for the purchase of land in Ireland; and in moving for leave to bring in that Bill the Chief Secretary explained the utility of that particular provision. He said that whilst the provision for the issue of Stock would provide the initial fund, the repayments under the Ashbourne Acts would provide a permanent fund. That very weighty consideration was not dissented from in any part of the House, and it appeared to me to be one of considerable force. However, the provision has disappeared from the Bill of this year. I thought it had disappeared through inadvertence, because it appeared to me so natural. But a question addressed to the right hon. Gentleman elicited the reply that the Government discovered that the repayments under the Ashbourne Acts, if they were re-lent, would not be covered by the Guarantee Fund. Surely that must have been apparent at first. [Mr. A. J. BALFOUR: Hear, hear.] The right hon. Gentleman assents. Therefore, the Government must have been quite aware, when they introduced their Bill of last year, that the repayments under the Ashbourne Acts would not have been so covered, and being aware of that they deliberately introduced the provision. There was a strong reason last year why the provision should be made; there is another and stronger reason this year. The Secretary for Ireland proposes to substitute for a subsection which has been omitted a new clause, which is described in the Amendment Paper as a clause for the "Allocation of the sum available for purchase in proportion of the value of holdings." By that clause the right hon. Gentleman intends that the moneys to be available for land purchase in any county shall be apportioned as between the relative number of large and small farms. I want to suggest to the right hon. Gentleman that if he sticks to that scheme his policy of land purchase will stagnate. Under the Ashbourne Acts the larger farmers took two-thirds of the money, and they will press forward for a corresponding amount under this Act. If you do not suspend the rule, it is evident you will soon reach the point beyond which you cannot go. On the other hand, if you suspend the rule, or break it down, you will bring about a repetition of the operation of the Ashbourne Acts—the bulk of the money will go to the larger farmers. I strongly urge upon him to re-insert in this Bill the provision of the Bill of last year to relend the moneys under the Ashbourne Acts. I beg to move the Amendment which stands in my name.

Amendment proposed,

In page 7, line 25, to leave out from the word "county," in line 25, to end of Sub-

section 3, and insert the words "Provided that the aggregate of the additional advances so authorised for all the counties in Ireland shall not exceed the aggregate of the following sums:—

(a) A sum equal to the aggregate of the capital value of the Sinking Fund, including the capital of any guaranteed land stock redeemed by payments to the Sinking Fund;

(b) A sum equal to twenty-five times the Guarantee Fund;

(c) The sums for the time being repaid on account of the principal of the money authorised by the Purchase of Land (Ireland) Acts, 1885 and 1888, to be issued."—(*Mr. Sexton.*)

Question proposed, "That the words from the word 'county,' in line 25, to the word 'and,' in line 28, stand part of the Sub-section."

(7.0.) MR. A. J. BALFOUR: The first proposal of the Amendment breaks down the rigid barrier which the Bill at present raises between each county. The hon. Member desires that the Government should lend in the counties that do not desire land purchase the share which may be allocated to counties desiring it. On the face of it that is an extremely plausible proposition, but I cannot assent to it, because if there is a great desire to purchase, say, in County Down, and very little desire to purchase in County Mayo, the fund allocated to County Mayo may be drawn upon for County Down, and County Mayo will have to pay for any default of County Down purchasers. The third suggestion of the Amendment is that we should re-lend the money of the Ashbourne Acts. The right hon. Gentleman has told us quite correctly that this part of the Amendment was an integral portion of our own Bill of last year, and he has asked us what has occurred to make us drop it. It is perfectly evident that the only chance this Bill has of passing is that we should be able to say of it that it is absolutely impossible it should throw any liability on the British taxpayer. If the hon. Gentleman asked me my own private opinion as to whether there would be any serious risk involved in this, or if he asked me whether I should prefer to re-introduce the provision of last year in this Bill, my answer would be in the negative to the first question and in the affirmative to the second. I do not believe that there would be any appreciable risk to the British taxpayer; but I have felt that the time taken up by hon. Gentlemen sitting in the neighbourhood of the hon. Member for West Belfast, and of which there is a distinguished exponent (Mr. Keay) sitting immediately below him, practically renders it impossible for the Government with any justice, either to themselves or the cause of land purchase, to re-introduce the provision. I have not altered my own view as to what would be in the interest of the taxpayer; but I am sure the English taxpayer would not agree to the introduction of the provision, and I do not think the matter is sufficiently large to make it worth the while of the Government, even if we could do so, to attempt to force down the throats of a reluctant majority a proposal of this kind.

(7.5.) MR. KNOX (Cavan, W.): This is the first occasion in which the Chief Secretary has displayed any fear of the hon. Member for Elgin and Nairn (Mr. Keay). During the course of this discussion, the right hon. Gentleman has met the hon. Gentleman with tolerable courage; but to-day, for the first time, he seems to think the hon. Member represents so considerable a portion of public opinion that it is hopeless to expect the House of Commons to agree to the present Amendment. The Chief Secretary has admitted that, in his own opinion, this Amendment is a good one, and would improve the Bill. I am persuaded that if he only told the Whips of his Party that he wished his opinion carried into legislative effect it would be carried into legislative effect. I appeal to the Committee to take the Chief Secretary's opinion in this matter, and to disregard his fears of the hon. Member for Elgin and Nairn. I think the Amendment of my hon. Friend is extremely reasonable. We know that in some counties land purchase proceeds very slowly, and that there will be no great desire for land purchase. In other counties there will be an overwhelming desire for it, and, speaking generally, I think it may be said that in the cases in which there is the greatest desire for land purchase it is most necessary that land purchase should be

adopted. Under the proposal of the Government a certain sum will be given to each county, and nothing more. Surely the money which is being regularly repaid under the Ashbourne Acts might fairly be re-lent for the purposes of land purchase. When the Ashbourne Acts were passed a considerable section of Members on the Opposition Benches, differing from the Irish Members, said they did not expect to see any of the money back. But it has been repaid, and, therefore, it may be regarded by them as a windfall. The hon. Member for Elgin and Nairn never expected to see the money again; when, therefore, it has come in in an unexpected way, it may be lent out again.

*(7.10.) MR. KEAY: My hon. Friend has humorously described the position the Chief Secretary has taken up towards myself. I desire to take off the varnish, and to say what I think the Chief Secretary really meant by his allusion to me. The right hon. Gentleman simply meant to say that the country would see in all its naked deformity the utter rottenness of his Guarantee Fund if he were to bring in the Ashbourne moneys as he did last year.

MR. SEXTON: I admit that the criticism of the right hon. Gentleman upon sub-heads (a) and (b) is technically correct, but (a) could not come into operation for some time, and (b) could not come into operation until such time as it was seen a county was not going to use its share of the Guarantee Fund. My opinion is, that before that day arrives the British taxpayer and everybody else will agree that the Guarantee Fund is in no degree essential. As to the Ashbourne moneys, if I were to ask you to devote any new money to the purchase of land in Ireland uncovered by the Guarantee Fund, I think there would be force in the argument against me; but this is money already voted. The advances have been regularly repaid, and there is nothing to show that the re-loan of the money would be unsafe. Under the circumstances, I must go to a Division.

(7.14.) The Committee divided:—Ayes 177; Noes 29.—(Div. List, No. 206.)

*(7.26.) MR. KEAY: I beg to move to leave out from "county," in line 28, to the end of the sub-section. The sub-section of the Bill provides that the Lord Lieutenant may authorise the Treasury to issue certain extra sums of money by way of loan to the different counties equal to the accumulated value of the county's share in the Sinking Fund, and that—

"Such capital value shall include the capital of any guaranteed land stock redeemed by the said payments."

My object in moving to omit these last words is to make the re-lendings of a terminable instead of a perpetual character, as they are under the Bill as it stands. The Land Stock is redeemable after 30 years, but the redemption is really of a nominal character, unless these words are excluded. Indeed, it may be said that the cancelment of the Land Stock under the present arrangement of the Bill is colourable, and not real and practical. The Committee will admit that it does not matter a brass farthing to the British taxpayer, or to those who are concerned in the financial responsibilities of the Bill, whether old paper is cancelled or not so long as new paper is allowed to be issued to the same extent and in respect of the same fund. The clause as it stands is really a cunningly devised method of throwing dust into the eyes of the population of this country. These annuities cease 49 years after the advance. I hold that the Stock itself ought to be absolutely terminable at the same date, even in the case of full success as distinguished from default. The last words of the clause militate against what I may call the authentically cancelling of the Stock. I challenge the Chancellor of the Exchequer to state whether or not I am right when I assert as I do that under the Bill as it stands there is no date fixed when the cancelment of the whole Stock is to take place. If my Amendment is accepted the effect would be that the re-lending which the Government are so desirous to see effected might go on up to the date when the whole Stock becomes redeemable, but after it becomes redeemable all the redemptions which take place will be *bonâ fide* redemptions whereby the Public Debt of the country

will stand diminished to a corresponding degree.

Amendment proposed, in page 7, line 28, to leave out from the word "county," to the end of Sub-section 3.—(*Mr. Keay.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. GOSCHEN: The hon. Member is mistaken as to the effect of the clause. The words of the clause are simply declaratory, and make no reference whatever to the redemption of Land Stock.

(7.38.) The Committee divided:—Ayes 139; Noes 18.—(Div. List, No. 207.)

(7.48.) MR. KEAY: The Amendment which I have now to propose is to insert, after "payments," in line 30—

"Provided that no such order shall be made if any part of the capital value of the Sinking Fund has been accumulated by advances from the Consolidated Fund."

The object of this Amendment is very clear. It is to secure that no new advances shall be made if the pecuniary burden has already fallen on the British taxpayer. The Chancellor of the Exchequer has already told us to-day that the idea that such re-lendings could go on under such circumstances is perfectly absurd, that no officers in charge of the Treasury in future would think of making advances under such circumstances. While I have no desire to make any reflection upon the Treasury officers of the future, I think some words ought to be put in the clause which will make it clear that, in case of pecuniary loss, no further advances should be made. The Amendment which I now offer to the Committee is the best method which I have been able to devise to supply the want. I do not think such an astounding proposal as that the Bill should be left open in this way could be justified in any quarter of the House. If the Chancellor of the Exchequer holds to the statement he made earlier in the evening, I do not see how he can avoid accepting my Amendment.

Amendment proposed,

In page 7, line 30, after "payments," to insert "Provided that no such order shall be made if any part of the capital value of the Sinking Fund has been accumulated by advances from the Consolidated Fund."—(*Mr. Keay.*)

Question proposed, "That those words be there inserted."

MR. GOSCHEN: The hon. Gentleman admits that his Amendment is to provide for a contingency that no reasonable man can possibly contemplate.

*MR. KEAY: I said the right hon. Gentleman himself said so.

MR. GOSCHEN: I cannot believe there is anyone in the House who thinks that if the annuities cease to be paid we should go on lending money. The proposition is most absurd.

*MR. KEAY: What objection can there be to inserting these words? they simply provide that in case of default the Treasury shall not even have the discretion to lend money.

Amendment negatived.

*(7.55.) MR. KEAY: I now move the last of this series of Amendments in my name, that is, in line 30 I propose to insert, after the word "payments," the words—

"But any such order shall not come into operation unless it has lain for thirty days on the Table of the House of Commons, nor if a Resolution objecting to it has been passed by such House."

The sub-section has laid down that these re-lendings shall take place at the discretion of the Treasury, and my object now is to provide that the House of Commons shall have time to consider and assure itself of the safety or danger of the operation. My reason will, I think, be self-evident. The taxpayers will be exposed to unbounded risks from the unlimited character of both the primary and secondary loans, the re-lendings rising in almost geometrical ratio with the original advances. Under the Bill as it now stands this will go on, and the House of Commons will be powerless to interfere, and, as we now learn, the Sinking Fund is bound to be paid up from the Consolidated Fund, even though all the tenants are defaulting. Her Majesty's Government now actually desire that nothing shall be included in the Bill that will bring these doubtful operations under the surveillance of the House of Commons. But surely

it should be sufficient justification for my Amendment that it is taken word for word from the right hon. Gentleman's Bill of last year, which had a similar clause relating to the same subject. It is for the Government to explain why this provision has been deliberately omitted from the present Bill. I am sure it would have met with no objection.

Amendment proposed,

In page 7, line 30, after the word "payments," to insert the words "but any such order shall not come into operation until it has lain for not less than thirty days upon the Table of the House of Commons, nor if a Resolution objecting to the order has been passed by such House."—(*Mr. Keay.*)

Question proposed, "That those words be there inserted."

(8.0.) MR. A. J. BALFOUR: If the hon. Gentleman had studied the Bill of last year with any degree of attention he would have seen that the clause referred to was introduced with reference to the re-lending of the Ashbourne money. No such reason exists for the introduction of a similar clause in the present Bill. If the hon. Member's Amendment were carried, the House would be mainly occupied in performing functions which had much better be left to the Treasury. The hon. Member must know that the Treasury will not lend money contrary to the wishes of the Ministry of the day, and his experience in this House, although not great, has probably been sufficient to teach him that the Ministry of the day are not likely to do anything contrary to the wishes of the majority of the House of Commons.

*MR. KEAY: I did give some study at the time to the Bill of last year, and I have an impression that this provision in the Bill governed re-lendings of all kinds. However, I am subject to correction, and I have not a copy of last year's Bill before me. The re-lendings under the Ashbourne Act would have been a small matter as compared with the re-lendings contemplated under this Bill, and if it was thought necessary that those small re-lendings should be brought under review by the House is not the argument stronger in favour of a similar provision now with regard to the enormous re-lendings of this Bill?

(8.5.) MR. CONYBEARE (Cornwall Camborne): I shall consistently support any Amendment which tends in any way to bring the operation of this Bill under the control of the House, and this will give the House a slight hold, though only a slight one, over these operations. Without such a check as this what opportunity has public opinion to influence the Treasury? The machinery of the Bill operates in the office of the Land Commission, and will not come under public notice at all. We know how altogether dark and secret are the transactions of the Treasury in regard to loans of other kinds. Very few Members can off-hand explain the manner in which the Government of the day deals with these matters, and the public are ignorant of the position until they find their interests are seriously prejudiced, and a Government more disregardful of the views of the House of Commons than the present it would be difficult to discover. If five or ten years hence the present Chancellor of the Exchequer should happen to hold the office, and in his individual wisdom deem it desirable that these re-lendings should go on, he will not trouble himself about the opinion of the House of Commons upon the matter. The security of the wishes of the majority of the House of Commons seems to me an illusion, for I do not see how the House can give expression to its wish without such a provision as my hon. Friend proposes. I certainly cannot see what valid objection there is to the proposal.

*(8.10.) MR. KEAY: The Chief Secretary has found it convenient to leave his place, but I have now a copy of the Bill of last year, and I find that he has altogether misrepresented the effect of the clause to which I referred. Clause 15, Sub-section 4, of that Bill provided that—

"The Treasury may by order authorise an additional amount to be advanced in respect of holdings in a county provided that the aggregate of the additional amount so authorised for all the counties in Ireland shall not exceed the aggregate of the following sums: (a) The sums for the time being repaid on account of the principal of the money authorised by the Purchase of Land (Ireland) Acts, 1885 and 1888, to be issued, and (b) The capital value of the Sinking Fund of the guaranteed land stock under this Act. But any such order shall

not come into operation until it has lain for not less than thirty days upon the Table of the House of Commons, nor if a Resolution objecting to the order has been passed by such House."

Now, under the circumstances, and holding the matter to be one of great importance, and one to which Her Majesty's Government agreed last year, I think we are entitled to know for what reason the provision is now excluded. In his remarks just now the Chief Secretary misrepresented the actual effect of Clause 15 in his last year's Bill. He is not now in his place, nor is the Chancellor of the Exchequer, and under the circumstances, and to give the right hon. Gentleman the opportunity of an explanation, I now beg to move that you do report Progress and ask leave to sit again.

THE CHAIRMAN: I shall not put that Motion, as to do so would be an abuse of the forms of the House.

(8.15.) MR. CONYBEARE: I do not, of course, question your ruling, Sir, but I think we have reason to complain of the conduct of the Chief Secretary. This is an important question, and the control of the House of Commons over these financial transactions has been the subject of much discussion. My hon. Friend put the plain question why had this provision, which was included in last year's Bill, been omitted from the present Bill. The answer of the right hon. Gentleman was equally plain that the provision last year had reference only to re-lendings under the Ashbourne Act, to which it was thought necessary to have Parliamentary sanction. But this is not a representation of the 15th clause of last year's Act, and as the right hon. Gentleman has now returned to his place I will quote the clause in full. [The hon. Member read the clause as quoted by Mr. Keay.] Now, if the right hon. Gentleman by slip of memory misled the Committee, perhaps he will now give us some more sufficient explanation why the provision is omitted from the present Bill.

MR. A. J. BALFOUR: It is undoubtedly the fact that the clause in the Bill last year related to lendings of two kinds, Ashbourne Act money and money under the new Bill. The clause then dealt with the re-lending of unsecured money, and involved a question of policy, to which it was desirable there should be the sanction of the House. Now, the re-lending of the Ashbourne Act money is eliminated, and re-loans are to be made upon security, and so it is left for the Treasury to decide upon these questions, which are similar to those which the Treasury has to decide every day.

MR. MORTON: I think the Press may more than ever have reason to remark that the right hon. Gentleman is making a muddle of his Bill. Why a provision which was thought necessary in relation to loans of a smaller amount should not be necessary in relation to a very much larger amount I do not understand.

(8.24.) The Committee divided:—Ayes 31; Noes 102.—(Div. List, No. 208.)

(8.36.) THE CHAIRMAN: The next two Amendments are not relevant to this clause.

MR. A. J. BALFOUR: I beg to move the Amendment that stands in my name.

Amendment proposed,

In page 7, line 31, to leave out sub-section 4, and insert:—"(4) So long as any money authorised to be issued under the Land Purchase Acts, 1885 and 1888, remains available for advances under those Acts, an advance may be made out of the money so available in any case where the landlord and tenant so agree, and the amount so advanced shall be repaid as if this Act had not passed."—(*Mr. A. J. Balfour.*)

Question proposed, "That Sub-section 4 stand part of the Clause." (8.37.)

*(8.55.) MR. J. E. ELLIS (Nottingham, Rushcliffe): I wish to point out, Mr. Courtney——

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*MR. J. E. ELLIS: I want to put this point to the right hon. Gentleman the Chief Secretary. Taking the amount which will be advanced under the conditions of this Bill as £30,000,000, and assuming that the Ashbourne Act is to continue in operation, will it not be the fact that you will have two systems of land purchase in operation in Ireland side by side at the same time? If the answer to that question is in the affirmative, I cannot but regard it as a very incon-

venient state of things; and I would suggest that the right hon. Gentleman should give us some assurance that the unexhausted portion of the powers given by the Ashbourne Act should be issued under the provisions of this Bill.

MR. A. J. BALFOUR: No doubt the hon. Gentleman is correct in assuming that if this Bill be passed there will be for some years to come two systems of land purchase in concurrent operation in Ireland. Tenants and landlords will be able to select under which system the sales and purchases agreed upon shall be carried out. But I do not think any great practical evil is likely to result from such a state of things. It did not occur to me as being worth while to deprive the country of the powers of the money already given by Parliament under the Ashbourne Act for the mere purpose of preventing the apparent, but not, as I believe, substantial, difficulty which might be supposed to arise from having two legislative measures on the same subject in existence at the same time.

*MR. J. E. ELLIS: May I ask the right hon. Gentleman what is the precise amount unexpended under the Ashbourne Act?

MR. A. J. BALFOUR: That is a somewhat difficult question to answer, as there are so many stages in the application and expenditure of the money. I believe, however, that over £9,000,000 have been already applied for, and that somewhere between £6,000,000 and £7,000,000 have been actually expended. Of the £9,000,000 applied for it is quite certain that the whole of the applications will not be granted; but it is impossible at present to say how many will be sanctioned and how many refused. It is impossible for me to say more than this in answer to the hon. Member's question.

MR. SHAW LEFEVRE: What I object to most is the proposal that there should be two systems of purchasing being carried on simultaneously. The effect of the clause would be that when large holdings are in question the purchases would be effected under the Ashbourne Acts, and when small holdings are in question the purchases would be effected under the present Bill. Therefore, the old Acts would merely be kept alive for facilitating the purchase of the large holdings. Whatever money is provided ought all to be expended under one Act or the other, and I prefer that it should be under the present Bill.

MR. A. J. BALFOUR: The whole system of guarantee and cover and taxation of local funds applicable to the one system is wholly inapplicable to the other, and it would be impossible to wed the two systems more closely than they are already wedded.

(9.20.) MR. CHANCE (Kilkenny, S.): I do not see the objection to two systems being in operation at the same time. I hope the Amendment will be accepted, though I think the wording of it might give rise to complications. I propose to insert in the Amendment, in place of the words—

"And the amount so advanced shall be repaid as if this Act had not passed,"

the following words:—

"And every such advance and repayment thereof shall in all respects be subject to the provisions of the said Act as though this Act had not been passed."

*MR. RATHBONE (Carnarvonshire, Arfon): If the Committee could be fairly sure that the Government would in the new Bill make due provision for the smaller tenants having their full share of the money, there might be some advantage in leaving the old Acts in operation. Parliament would have then an increased amount of experience with regard to the working of the measure, and could insert stringent provisions into the present Bill, which might be maintained or modified as experience should dictate.

SIR G. CAMPBELL: If Her Majesty's Government and the Irish Members are combined on this matter we shall not be able to offer much resistance, but I must say that I very much dislike this Amendment. It seems to me that the clause as it stands gives everything that is requisite. With regard to the Ashbourne Act, it strikes me that we ought to take advantage of our experience with the operation of that Act by making the system more applicable to the case of the smaller tenants. It is evident from what has just been stated that a great deal more than £1,000,000 of money is

available under the Ashbourne Act. I am somewhat surprised that the hon. Member for Carnarvon should support the Chief Secretary in this Amendment. I think the latter should stick to his original proposal. Experience has shown that there are defects in the Ashbourne Act which should be remedied.

(9.27.) MR. SEXTON: The Ashbourne Acts have not been defective from the point of view of the British taxpayer. Hon. Members who represent Irish constituencies certainly believe that those Acts have not sufficiently tended to set up peasant proprietors; but experience has shown that the loans have been judiciously made, and that the repayments have b en punctual and full. In answer to a question to-day, the Chief Secretary said the total amount of principal and interest which fell due under these Acts from 1885 to November 1, 1890, was £518,792, of which £2,207 only is now unpaid. We are accustomed to regard the hon. Member for Kirkcaldy as being solely solicitous for the security of the British taxpayer in this connection. Can he show in the whole round of this British Empire, upon which the sun never sets, such a slight proportion of arrears to the magnitude of the operations? The result affords a signal example of careful and successful administration, so far as concerns the security of the State. This I say while acknowledging that the Acts have not gone so far as we intended in the establishment of a peasant proprietory. I should like to know whether the Land Commission have sanctioned, or have in their hands, applications which will exhaust the balance available under the Ashbourne Acts. It rather appears to me there will be a certain amount of embarrassment and awkwardness in having the two Acts side by side. There will, I think, be a tendency on the part of tenants to get their money under the Ashbourne Act rather than under this Act. I see the Chancellor of the Exchequer appreciates the reason. Under the Ashbourne Act the tenant pays his 4 per cent. of the purchase money and gets his full benefit of purchase at once, not subject to the discretion of the Lord Lieutenant to have his annuity increased. Naturally the tenants will prefer to take their holdings under the Ashbourne Act, and public opinion will be in the same direction, because the Ashbourne Act does not involve the levy of a local rate. On the other hand, a landlord will prefer this Act, because in case of default his guarantee deposit will only be liable to the extent of one-half, whereas under the Ashbourne Act the whole is liable. In the desire of the tenants to take the one Act, and the preference of the landlords for the other, I foresee there may be some difficulty in administration. In my opinion, therefore, it would be better that we should exhaust the amount available under the Ashbourne Acts before we proceed under the present Bill.

(9.35.) MR. A. J. BALFOUR: I think that it would be better either to adopt the plan in the Bill as it originally stood or else the plan which we have proposed at the instance of the hon. Member and his friends. The hon. Member appears to think that there would be a great tendency on the part of the landlords to go under the present Bill, and on that of the tenants to go under the Ashbourne Acts. For my own part, I do not agree with him in that respect. Though in some respects the Ashbourne Acts may appear more favourable to the tenant, in my judgment the advantages are in favour of this Bill. It must be recollected that under it there is an elasticity which does not exist under the old Acts, and I have constantly heard of the Irish tenant preferring to remain tenant rather than become a purchaser, because if he purchased his instalments would be required to the day, and a Public Body would have neither the right nor the power to inquire how far he was able to pay, while, on the other hand, the old landlord is a creditor who might be expected to take into consideration the circumstances of the debtor. That is the only reason why the money under the Ashbourne Acts has not long been exhausted, and why the tenant has not taken advantage of Acts which would make him proprietor of his holding and give him a reduction of 30 to 40 per cent. This rigidity is, to a certain extent, remedied in the Act which we now propose. On the other hand, the landlord under this Act was to be paid in Stock, not in

cash, though we hope that the Stock will be equivalent to cash, and I am not sure if we polled the landlords of Ireland it would not be found that they prefer to go under the Ashbourne Acts. Therefore, I doubt whether there would be that preponderant selection of the Ashbourne Acts by the tenants and of the new Act by the landlords which the hon. Member has suggested; I believe that the operation of the Acts will be well balanced, and that they will run concurrently. I would remind hon. Members that they are treating the Government and the Committee rather hardly in discussing an Amendment which has been introduced in order to carry out the views expressed by the hon. Gentleman himself.

(9.40.) MR. KNOX: The right hon. Gentleman has failed to notice one point in the speech of my hon. Friend, that is, that we should know the exact amount available under the Ashbourne Acts. We have a Return, giving the account of proceedings up to the end of March, the amount applied for, the amount sanctioned, and of course there is a much smaller sum actually advanced, but we do not know the amount definitely refused.

MR. A. J. BALFOUR: I have not the information now, but I know no reason why it should not be given, and if the hon. Member will put a question on the Paper I will ascertain.

MR. KNOX: I will do so. I think it is a matter for consideration whether the amount still available under the Ashbourne Acts ought not to be reserved for the holdings in the West of Ireland, where the tenants' insurance provision will almost prevent sales. With regard to the question of elasticity, what the tenants complain of is want of elasticity with regard to time, but I fail to see anything in the new Act which will meet this feeling. With regard to the Ashbourne Acts, I fancy that the reason why tenants have held back is that they were always expecting something better. They knew that prices had fallen in the last few years, and they thought that they might fall still further.

Amendment to proposed Amendment agreed to.

Amendment, as amended, agreed to.

*(9.45.) MR. J. E. ELLIS: I rise for the purpose of moving the first clause of the Amendment which stands in my name, and is to add the following as a new Sub-section:—

"An advance shall not be made under the Land Purchase Acts for the purchase of any holding unless the Land Commissioner is satisfied that the tenant has been free from duress or undue influence when making the contract of purchase."

I take it that this will in principle be admitted, and it does raise, I know, a very important point. As we understand, the Government have voluntary action as the basis of their Bill. They intend both parties shall be free agents. Indeed, I cannot do better than remind the Committee of the words used by the First Lord of the Treasury in April of last year when he said—

"All the scheme of the Bill is based on the voluntary action of the tenant and landlord."

That there has been duress in past transactions no one who has followed the evidence before the Commission in 1886 can doubt. As to the working of the Act of 1885, we have the evidence of Mr. J. G. Macarthy. In giving his evidence before Lord Cowper's Commission, in answer to the question whether there was not any other hindrance he could state to the operation of the Act, he said—

"The operation of the Act has been hindered by an unwise attempt on the part of some land agents to coerce tenants into buying and as to the terms of buying."

Asked if the agents attempted to coerce the tenants to buy at an unfair price he answered—

"To buy at their own price, which may or may not be fair."

Replying to Lord Milltown, who suggested that the terms of buying were what the tenant might consider an unfair price, he said—

"And sometimes what we also consider an unfair price."

Lord Milltown then asked—

"The agent tries to compel the tenant to purchase at what the tenant considers an unfair price?"

and Mr. Macarthy replied—

"I do not think any man ought to be able to compel another to buy at his own price. A contract is worthless unless it is free. Neither party should dictate terms to the other."

In answer to a question by the President

as to how the pressure was exercised, he said—

"By telling the tenant he must either sign a contract for sale or go out. I have seen letters of this class. I have a letter in my possession from an extensive land agent telling the tenant that the Sheriff could not be put off beyond to-morrow, but that if she handed the Sheriff the contracts for purchase duly executed he would not take possession. Surely, a contract signed under such circumstances cannot be free."

We have other evidence tending in the same direction. When the Marquess of Londonderry was the Lord Lieutenant this Circular was sent out from his estate office at Newtownards on the 20th February, 1888—

"I am desired by the Marquess of Londonderry to inform you that he is willing to offer you your farm at 20 years' purchase of the present rent. Lord Londonderry has decided to take this step (though much against his inclination) mainly owing to the fact that in the event of another bad season he will be quite unable to give the reduction which he has granted the last two years, and by giving which he has received absolutely nothing from his own property. As you will see by enclosed circular, you will, by purchasing your holding, still gain a reduction of 20 per cent., which will not be dependent upon the will of your landlord, but permanent, and at the end of 49 years your holding will be absolutely your own, free of all rent."

Now, I think that it was a very strong step for Lord Londonderry to take, he being at that time the Chief Executive Officer in Ireland, with all the force of coercion at his disposal, and having also the power by law to declare any combination of tenants unlawful. I think the Committee will be disposed to agree with me in stating that here was a case of duress. Well, now I will refer to some of the Memorials which have been laid before this House in Return 83 of this Session. They come from 13 different counties in every province. They represent a total amount of instalments of £31,800 per annum and a capital of £780,000—a considerable sum of money and relating to a very large area, representing, I may say, £1 of every £10 advanced under the Ashbourne Act up to that time. I think the hon. Member for West Belfast took a somewhat roseate view of the financial position a few minutes ago when he referred to the answer given him as to arrears under the Ashbourne Act by the Chief Secretary this afternoon. Remember this is only the beginning; and when we find that purchasers representing £1 of every £10 advanced are asking for postponement of their instalments, I think it does represent a rather serious state of things. The Return which has been furnished does not give a *précis* of the Memorials; but I have been in communication with some of the memorialists, and I may say that generally their complaint is that they were not free agents, and that, in fact, they acted under duress in entering into the contract of purchase. I take first the case of the sale of the Duke of Leinster's estate, in County Kildare. The extent of the estate is 18,992 acres, the number of holdings 332, and the amount £244,365. I will take the evidence of the Rev. Mr. Staples in reference to this estate. He says—

"The tenants are a most respectable body of men of their class."

He adds—

"I may say also that the Duke of Leinster as a landlord compared favourably with the other landlords of Ireland. At the time it was proposed to them that they could purchase their holdings they, with very few exceptions, owed over two years' rent. Another half year accrued while the negotiations for the purchase were going on. They then became almost hopelessly in arrears; and when they objected to give 18 years' purchase of the rent as then fixed, they were threatened with eviction for the rent and arrears of rent which were then due, and which they were unable to pay; and in order to escape being thrown out on the roadside and robbed of their lives' toil, they consented to purchase their holdings on the landlord's terms as a temporary relief, in hopes that better times might come."

Mr. Staples asks, "Can any of these men be considered free agents?" and certainly I must agree with him that they cannot. I now take a second instance—in County Kerry, near Dingle. The estate there of Mr. S. M. Hussey, consisting of 1,615 acres, 23 holdings, and amount £15,550, and also the estate of another member of the family—Captain Edward Hussey—2,571 acres, 14 holdings, and £6,500. Another sale under the Act is the estate of Mr. R. A. Hickson, 777 acres, 12 holdings, and amount £10,000. In relation to these purchases of holdings in the same district, a meeting was held of the purchasing tenants, in October, 1890, and was presided over by the Rev. Canon O'Sullivan. At that

meeting a resolution was passed in the following terms:—

"That, inasmuch as we the majority of the tenants induced to purchase our holdings under Lord Ashbourne's Act, through coercion, are now through no fault of our own unable to pay this year's instalment of the purchase money without disposing of the few cattle left us by exorbitant rents, law costs, and in many cases evictions. We protest strongly against the confiscation of our property, and our expulsion from our homes owing to our inability to pay those instalments which would be considered exorbitant in prosperous years."

And then, again, I take an instance from County Waterford in the sale of the estate of Mr. George Lane Fox, consisting of 4,542 acres, 70 holdings, and price £67,042. I hold in my hand a letter from a Mr. Nicholas Halley containing undeniable evidence that the purchases were made to save eviction and loss of property by the purchasing tenants. The actual writs of ejectment and other documents are in my hand, and place the matter beyond question. The last case I shall trouble the Committee with arises on the property of the Marquess of Waterford, in the same county. The Marquess parted with his interest in 80 holdings of 8,135 acreage for £109,770, and I cannot do better than quote from the letter of Mr. Jeremiah Nugent, who acted as hon. secretary for the tenants—

"In every single case in the parish pressure of the severest nature was brought to bear on the tenants; it was, pay up all arrears or purchase, as you can see and prove from the writs which I enclose. As a rule, they are all poor, some exceedingly so, and the little relief they gained by purchase enabled them to struggle on so far. The land is of a very inferior quality, and requires constantly to be renewed by tilling and manuring, or it would in a few years lapse into its original barren and unproductive nature."

Then he goes on at some length to illustrate the manner in which the tenants were forced either to pay or to go. There was a meeting of these purchasers, and they admitted their disappointment was very great at finding their bargain had turned out so badly, and they say—

"At the time of purchasing the majority of us had no voice in the contracts, as we were so much in arrear and threatened with eviction, so we had to agree to buy at the landlord's terms."

These cases are illustrative of what has taken place, in my opinion, in a large number of the 12,000 instances that occur in the first two Returns as to the operation of the Ashbourne Act. It may be said that it is the business of the Land Commission to look into this matter. That is not so. Anyone who has read the judgment of Mr. Commissioner Lynch will know that it has been laid down that duress is no bar to purchase. I venture to think that in the interests of the tenants themselves and of the Imperial taxpayer—not the British taxpayer, because I admit the Irish taxpayer possibly pays his full share—some distinct mandate should be given by this House to the Land Commission to look into this matter before sanctioning purchases.

Amendment proposed,

To add, at the end of the Clause, the words—"(5) An advance shall not be made under the Land Purchase Acts for the purchase of any holding unless the Land Commission is satisfied—(a) that the tenant has been free from duress or undue influence when making the contract of purchase."—(*Mr. J. E. Ellis.*)

Question proposed, "That those words be there added."

(10.15.) MR. A. J. BALFOUR: I do not think it is necessary for me to traverse the ground the hon. Gentleman has just gone over, nor to inquire into the various cases of alleged duress. That there is evidence of duress in any of these cases I am not prepared to admit. The hon. Gentleman's argument amounts to this—that, because the tenants bought while process of eviction was hanging over them, therefore the purchases were completed under duress. I cannot see how that doctrine can be accepted unless we also accept the doctrine that no tenant who owes arrears of rent can purchase except under duress. If the hon. Gentleman's proposition is accepted broadly it is clear that the chief sufferers will be those whom he most desires to serve. If the Committee are going to inquire into the motives which bring about the sales, the inquiries ought not to be one-sided; we ought to inquire into the motive which animates the landlord in selling as well as the motive which animates the tenant in buying. If the tenant is fulfilling the contract for sale, he can go to the High Court of Justice, which has ample power to investigate all the circumstances of the case, and to see whether they are such

as will justify them in not compelling the additional contract to be carried out. For these reasons and for others I would suggest that we do not complicate the Bill by any such impossible condition as is suggested.

(10.18.) MR. CHANCE: The right hon. Gentleman has spoken on general and philosophical questions, but has entirely declined to apply his mind to the specific matter mentioned in the Amendment, namely, whether the landlord has, in given instances, exacted from the tenant more than the tenant and more than the Land Commissioners believed to be the fair value of the holding. Of course, Sir, he could not deny it, because Mr. Commissioner M'Carthy had given evidence before the Royal Commission, and distinctly stated that in particular cases it had been found that the landlord's agents had put on pressure to compel the tenants to give more than the value for their holdings. But the matter went further, because in the case of the Marquess of Ormonde's Estate, Mr. Commissioner Lynch found against the landlord on the ground that his agent had gone to the tenant's door with the Sheriff and said, "Out you go, unless you settle on the terms we propose." I remember a case in which a landlord produced, as evidence of the paternal relations which existed between him and his tenants, a document in which the tenants said that, having been called together by the landlord's agent to consider the question of purchase, they had decided that under the circumstances it was better for them to leave the fixing of the price in his Lordship's hands. The price was fixed by his Lordship, and I am happy to say that, as a result of subsequent events, neither his Lordship nor his Lordship's successors were able to get that price in their pockets, because the Commissioners found that it was exorbitant. Yet it is proposed now to bind the Land Purchase Commission to carry out the bargains made by his Lordship's bailiff under such circumstances.

(10.22.) MR. SEXTON: The situation in regard to this particular Amendment appears to me to be peculiar enough to merit particular notice. My hon. Friend the Member for Rushcliffe has put forward an unassailable principle. I think it is the manifest duty of the right hon. Gentleman to accept an Amendment which, as far as it may operate, can only fortify the security of the State. Why does the right hon. Gentleman the Chief Secretary reject it? I think he has laid himself open to the observation made by my hon. Friend. He made some abstract observations on the Amendment and scarcely touched on the very startling cases presented by my hon. Friend. I have had some experience of one case which struck me very forcibly. It was at a sitting of the Committee on the Estates of the Irish Societies, and we had before us a man of great experience and great ability, Mr. M. Bryan, an Inspector of the Land Commission, whose duty it is to visit the tenants and ascertain the relations between them and the landlords. The landlord in the case dealt with was a great London Company. Mr. Bryan detailed the circumstances of the case, and stated to the Committee that he never in all his experience as an official of the Land Commission met with a body of tenants in a state of such absolute and abject terror. The thing is notorious, and if there were no cases before us the general situation of Ireland would render inevitable the conclusion that duress will be employed. The right hon. Gentleman has put in force his Coercion Act, and under that Act Associations for the protection of the tenants have been declared to be illegal and dangerous, and have been suppressed in various districts. Meetings have been broken up by force, and every obstacle has been thrown in the way of such combination among the tenants as might enable them to arrange amongst themselves for the best protection of their interests. The tenants have been isolated one from another, and the object of the system has been to prevent them combining against those who have wealth and trained intelligence and the power of the law on their side. It must be obvious that men in the position of the tenants require to be protected as far as the State can protect them. The right hon. Gentleman has, however, punished the combinations of tenants whilst he has encouraged the

combination of landlords. We know what occurred on the Ponsonby Estate, and how the hon. Member for South Hunts and his confederates entered upon the scene, and by means of their wealth prevented a satisfactory arrangement being come to between landlord and tenants. We know, too, that the Chief Secretary encouraged combinations of that detestable kind, and, therefore, he is not in a position to speak of this as a one-sided Amendment.

*MR. SMITH-BARRY (Hunts, S.): I am sorry to interrupt the hon. Member, but I should like to remind him that we offered to sell their farms to the Ponsonby tenants on extremely favourable terms.

MR. SEXTON: You never offered to give the evicted tenants the same terms as the others.

MR. SMITH-BARRY: I beg your pardon, we did.

THE CHAIRMAN: Order, order! It is not relevant for the Committee now to enter upon that controversy.

MR. SEXTON: I am raising the question of the tenants being placed under duress to purchase.

THE CHAIRMAN: But it is not necessary to go into the details of the dispute of the Ponsonby Estate.

MR. SEXTON: I think I am entitled to say that the Chief Secretary, on the facts I have stated, is not entitled to argue that this Amendment is against the interests of the landlord. The landlord has an exceptionally strong position. He fills the Magisterial Bench, he has the National League suppressed, and he has a facile and effective Court of two Magistrates in every part of the country, who are perfectly ready to punish any combination on the part of the tenants for the purpose of improving their position. In fact, the condition of affairs is that all the strength is on one side, and the weakness on the other. If the Amendment is rejected it will be said with justice that even if the Government have not been willing to countenance duress they have at least not shown any anxiety to prevent it.

*(10.34.) MR. SHAW LEFEVRE: I think that after the evidence given before Lord Cowper's Commission by Mr. M'Carthy, it is impossible to deny that there have been numerous cases in which tenants have purchased under duress. What is exactly duress may be a matter of doubt; even the Commissioners differ on that point, for while Mr. Wrench contends that a landlord who asks his tenants to purchase on the terms he holds in one hand while in the other he threatens a writ of eviction does not place his tenants under duress, while Mr. M'Carthy describes such a proceeding as duress. I understand the Chief Secretary to agree with Mr. Wrench, and to intimate that a landlord who threatens to evict a tenant unless he accepts the alternative of purchase, does not place his tenants under duress. That, however, is not our view; most of us are of opinion that it is duress. While it is equally wrong that a landlord should sell under duress that possibility does not so much concern the State, because the security will, in such a case, be higher. The objection to my hon. Friend's Amendment is that those tenants whom the Land Commission find to be buying under duress will be altogether deprived of the benefits of the Act, and must continue to pay their old rents, or submit to eviction. The only remedy is to give to the Commissioners power to fix in such cases what the terms of purchase should be. I saw a curious case reported in the Irish papers the other day. A number of tenants in the County of Cork who had a somewhat high rent to pay got those rents reduced in the Judicial Courts some time ago. But they owed five years' arrears, so when the terms of purchase were discussed they agreed to pay 16 years' purchase. They went into Committee, but the Land Commission after inquiring into the matter decided that they were under duress, that the terms were too high, and that the price ought not to exceed nine years' purchase. The result was that the sale was not carried out, and the unfortunate tenants were unable to participate in the benefits of the Ashbourne Acts. Hence it is I should like

to see power given the Land Commission, not only to reduce the terms, but to insist on the completion of the transaction. Although the Amendment in this respect does not go so far as I should wish, I shall still support it, because it will afford protection to the tenant against being compelled to buy at excessive rates.

(10.40.) MR. LABOUCHERE: I must say that my admiration for the unscrupulous cleverness of the Chief Secretary is rapidly becoming fanatical. But I wish to warn the right hon. Gentleman against the sameness of his cleverness. He treats every Amendment alike. Whenever an Amendment is proposed the right hon. Gentleman removes the discussion to the regions of philosophic doubt, and then says, "For these and other reasons I must oppose the Amendment." And then hon. Gentlemen come in from different parts of the House and vote us down, although we are absolutely in the right, as we have proved over and over again. This is one of the consequences of having a mechanical majority. My hon. Friend stated that duress had been used in many cases in order to compel the tenants to buy at other prices than they otherwise would. Did the Chief Secretary dispute that fact? Did he defend or justify it? He did not, and he refused to put words into the Bill to prevent it. He said, "I cannot do this for reasons which I have in my breast." Will he give us those particular reasons? I am perfectly open to conviction, and to vote for the right hon. Gentleman if he convinces me, but I cannot be convinced simply because he tells us, "I have reasons in my breast."

*MR. J. E. ELLIS: As my hon. Friend has pointed out, the Chief Secretary has not made the least attempt to controvert either my arguments or the facts I have brought forward. I did not mention the case of the Irish estates of the Drapers Company, because in that case purchase was not sanctioned. But if hon. Members will look at the evidence of duress that has come before that Committee, I think they will be astonished at the amount of duress used. Why, I had in my hands during the sittings of the Committee the rent receipts of a particular tenant for two years, and the ejectment proceedings of the Company against the tenant for rent which he had actually paid. The proceedings instituted by one great Company against their tenants in the North of Ireland were of an almost incredible nature, and I believe they could be paralleled on the estates of many landlords. I feel bound to take the sense of this Committee on the Amendment, in order to place on record our desire that there should be absolute freedom of contract.

(10.46): MR. CONYBEARE: I think that the Amendment is not stringent enough. It proposes that no advance shall be made, unless the Land Commission is satisfied, on the four points enumerated, and knowing something of the way in which the Land Commission has in the past been manipulated in the interests of the landlords, I do not think it possible it can ever be satisfied. I have no confidence that it will not be susceptible of similar manipulation in the future. As I do not think that the evidence of duress, which is sufficient to satisfy the hon. Members on this side, would satisfy the Commission, I want to see the Amendment made more stringent. With reference to the fourth condition, I would suggest——

*MR. J. E. ELLIS: I have not moved that yet.

MR. CONYBEARE: Then I will only add that there can be no freedom of contract in Ireland when the landlords have behind their backs the machinery of the Coercion Act. I support the Amendment so far as it goes, but I should like to see the repeal of the Coercion Act as a condition precedent to this legislation being put in force. As to the remarks which have fallen from my hon. Friend the Member for Northampton, I can only express a hope that the Committee has not been reduced to such a state of inanity as not to call upon the Chief Secretary for reasons for his action. I support the Amendment in the interests of English taxpayers and Irish tenants.

(10.50.) The Committee divided:—Ayes 93; Noes 128.—(Div. List, No. 209.)

*(11.5.) MR. J. E. ELLIS: I propose the next Amendment standing in my name, because I really think the tenant ought to have an opportunity to claim a judicial rent. According to a Return made last year, the number of applications for judicial rents which remained undisposed of was 35,695, and of these 33,000 had actually been waiting six months. It is to meet these cases that I propose my Amendment.

Amendment proposed,

In page 7, line 40, after "passed," to add,—"(5.) An advance shall not be made under the Land Purchase Acts for the purchase of any holding unless the Land Commission is satisfied—

(b.) that the tenant has not been deprived of the right of application for a judicial rent in respect of the holding by the service of any notice of ejectment for any arrears of non-judicial rent;

(c.) that any application made by the tenant for a judicial rent in respect of the holding has been disposed of."—(*Mr. J. E. Ellis.*)

MR. A. J. BALFOUR: As far as the object of the first part of the Amendment is concerned—the operative part—it has been secured already. It is perfectly impossible, under the existing law, to deprive a tenant of the right in question.

*MR. J. E. ELLIS: Under what Act—the Act of 1887?

MR. A. J. BALFOUR: No; the Act of 1881.

Amendment negatived.

*MR. J. E. ELLIS: I have not moved the last part of my Amendment, which is to give the tenants the same right of combination as Trades Unionists have in this country.

Amendment proposed,

In page 7, line 40, after "passed," to add "An advance shall not be made under the Land Purchase Acts for the purchase of any holding unless the Land Commission is satisfied that the tenant has been freely able to exercise such rights of combination as are lawful under the Conspiracy and Protection of Property Act, 1875."—(*Mr. J. E. Ellis.*)

*THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The tenants will, of course, be entitled to exercise all legal rights of combination, and a legislative declaration to that effect is quite unnecessary.

Amendment negatived.

(11.20.) MR. KNOX: My object in moving the Amendment of which I have given notice is to exclude land-grabbers and planters from the benefits of the Bill. Upon the fate of this Amendment will depend whether the Bill gives satisfaction to the tenantry of Ireland as a body, or whether it aggravates existing difficulties. I do not believe that the tenantry as a whole will be satisfied until the men who have fallen in the fight against landlordism shall have been restored to their homes. There are places in Ireland where tenants are living within sight of the holdings from which they have been turned out. They are supported by public opinion, and their neighbours are determined not to allow any interlopers to live peacefully on their former holdings. Not long ago the Chief Secretary for Ireland, in an eloquent speech in which he said he would rather beg his bread than give in to the Plan of Campaign, putting himself in the position of an Irish landlord, said—

"For my own part, even if it were not wholly to my pecuniary interest, I should desire to restore peace to that part of the country where my property was situated, and to see that on fair and equitable terms the tenantry were restored to their homes."

Now, I would point out to the right hon. Gentleman that if the Bill passes in its present shape the evicted tenants can never be restored to their ancient homes, because their places will be taken by new freeholders. Land-grabbers and planters, I submit, are not a class whom any land legislation in the past has been intended to benefit. There is no security on which these advances could be made, and they would be contrary to the whole course of previous legislation, risky and dangerous to the State, and calculated only to produce greater difficulty in Ireland. If the planters be allowed to buy we can never have a peaceful settlement by means of the Land Purchase Act or of any other Act, because you will put in for perpetuity a man who is hateful to the people and who will ever remain so.

If the Bill is passed in its present form, it will fail to secure peace to the country, which the right hon. Gentleman the Chief Secretary says he should desire in his locality if he were an Irish landlord. We had hoped to make this Bill, if not a treaty of peace between the warring classes in Ireland, at least a *modus vivendi*. If the Amendment be adopted, it will be possible to find a *modus vivendi*, and to arrive at such a settlement as will heal the sores which have arisen out of the Plan of Campaign estates. Hitherto it has been said that every land title in Ireland has had its root in confiscation. We had hoped that that would not be the case under this Bill. Surely the right hon. Gentleman cannot suppose that if advances are made to these planters on the estates of the Plan of Campaign an Irish Parliament if established will for a moment respect the vesting orders. Such a Parliament will be bound to take whatever means are necessary to restore to their holdings the men who have been unjustly turned out of them. Perhaps the right hon. Gentleman bases his case on the supposition that there will never be an Irish Parliament. I do not think the recent elections entirely justify that supposition; but even if there should never be an Irish Parliament, yet for many a year to come these men will be hated in their respective districts, and every effort will be made to prevent them from making any profit. Surely it is hardly wise, in a measure alleged to be intended to settle the Irish land war, to insert such a dangerous provision, and to perpetuate this source of evil conflict. If this Bill is carried as it stands the hon. Member for South Hunts and his fellow evictors will at once try to sell to the emergency men, and bogus sales will be the rule if Mr. Wrench has any share in the administration of the Act. If the Government attempt to put these planters and landgrabbers on the land, which almost every Irishman believes to be the lawful property of the evicted tenants, they will, instead of restoring peace to Ireland, only aggravate the social disorder. If the Chief Secretary rejects this Amendment he must not hope that his parchments will be respected, or that peace will be restored, for it will be the bounden duty of every Irish Nationalist to make the lives of those men intolerable until the men who have been unjustly evicted are restored to their holdings.

Amendment proposed,

In page 7, line 40, at the end of the Clause, to add the words—"(5.) No advance shall be made under the Land Purchase Acts for the purchase of any holding which has not been in the occupation of the tenant or his predecessors in title, or which has been resumed by the landlord, since the first day of January, one thousand eight hundred and eighty-one, except—

(a.) to a person who was, or whose predecessors in title were, in occupation of the holding on the first day of January, one thousand eight hundred and eighty-one, and who after the determination of his tenancy has been reinstated;

(b.) to a sub-tenant of any tenant who has agreed to purchase his holding; or

(c.) to a person migrated from a congested district under this Act."—(*Mr. Knox.*)

Question proposed, "That those words be there added."

(11.38.) MR. A. J. BALFOUR: The hon. Gentleman who has just sat down has tried in the course of his speech to touch upon almost every one of the controversial questions connected with the relations between this country and Ireland, finishing up with a declaration of his intention to persist in a course of conduct which is equally revolting to common morals and to Common Law. I do not think it necessary, however, to follow the hon. Member in the lines of the speech which he has delivered. The hon. Member must surely himself be conscious that it is impossible for the present or for any other Government to accept the Amendment. It is absurd on the face of it. He has told us it is intended to prevent sales to those who have taken evicted holdings on the Plan of Campaign estates. But it goes a great deal further than that, and would prevent sale to a tenant of a holding which formerly belonged to a family of whom every trace is lost. One of the hon. Member's arguments was that the security of these tenants will be bad; and the security being bad, it is highly improper to allow public money to be advanced upon the holding. If the security is bad, it will be the bounden

duty of the Land Commission, under the rest of the Bill, to see that no purchase takes place; if it is not bad, there is no conceivable reason, either in policy or in equity, from the point of view of Ireland or of the English Exchequer, why the sale should not take place. Landgrabbers I understand to be men who take farms from which tenants have been evicted because they would not pay their rents.

MR. CHANCE: Unjustly evicted.

MR. A. J. BALFOUR: The hon. Member knows that the feeling is not merely against such men, but attaches to men also who pay rents against orders of the local organisation. I will state boldly to the House that no system of agriculture can possibly be in a healthy condition unless the owner has some means of getting rid of a tenant who neither will nor can pay his rent, supposing the land is capable of paying rent. There must be in any conceivable healthy agrarian society some means of getting rid of inefficient members of that society, just as in any other trade in the world. It is absolutely impossible for the Government to accept this Amendment, and I cannot doubt that the Committee will support them in that view.

(11.43.) MR. CHANCE: The right hon. Gentleman entirely mistakes the scope of the Amendment. He has plainly shown that it is his intention that the Land Commission shall have power at the expense of the British Exchequer to make a man who is a stranger the purchaser of a holding in which he has no vested interest. Now, that is a most alarming extension of the principles of the Bill. Would the British Government thus enable a man to embark on any other enterprise? Certainly not. Then why lend money to a man to buy a holding in which he has no earthly interest? The man is simply a mercenary soldier without probably any knowledge of agriculture or any desire to retain the holding. He is paid by the landlord to become a tenant; he acts as a sort of agrarian policeman, and he is an instrument for punishing the tenant who has been evicted for declining to pay an excessive rent. An evicted holding is a holding which no person in the locality will take; there is no competition for it; so the landlord sells the holding to the planter, who often enough hails from some factory in Portadown or some other Orange city. He is paid so much a week. Then an arrangement is entered into by which he becomes the purchaser, and as soon as the landlord has pocketed nine-tenths of the purchase money, his confederate disappears, the holding is put up for sale, no one but the landlord bids; he gets it perhaps for a £10 note; he willingly sacrifices the tenth of the purchase sum he originally deposited in the Guarantee Fund; he soon finds another tenant, arranges another sale, and again pockets nine-tenths of the purchase money which the State has advanced. I challenge the right hon. Gentleman to say it will not be possible for an estate thus to be sold three or four times, the landlord pocketing nine-tenths of the purchase money, and re-buying in case of default at practically a nominal sum. Under the old system the locality was not sufficiently interested to prevent such an arrangement between the Chief Secretary, the landlord, and the gentleman from the Portadown factory; and if £600 or £700 was thus wasted it did not care. But now the locality is to be fined if this man from Portadown, who comes in under the guise of an agricultural tenant, possibly not knowing one end of a spade from the other, or, like the Civil Lord of the Admiralty, not being acquainted with the difference between a turnip and a potato, should commit default and not pay the annuities. The lunatics of Ireland are to be set at large, the poor are to be deprived of indoor relief, and children will have to go without education. The only persons whose interests are to be safeguarded are the prisoners; they are to be the only class secured from eviction; while the emergency men will serve the interests, first, of one landlord syndicate, and then of another. Is it not absurd that such an arrangement should be allowed to exist?

(11.50.) MR. M. J. KENNY (Tyrone, Mid): The Chief Secretary has totally misrepresented the scope of the Amendment. It is altogether false to say it is

designed for the purpose of enabling worthless tenants to purchase their holdings to the exclusion of those who could manage them well. It has two objects—one is to enable *bonâ fide* tenants, who have made improvements on the land, and who have been evicted, to regain their position, and that which they have lost. The law as it at present stands affords an evicted tenant certain facilities for redeeming his interest in his holding, and all that this Amendment proposes is that the tenant who has forfeited his equity of redemption shall have an extension of the time, so that what purports to be a permanent settlement of the land question may in reality be secured. Does the Chief Secretary really contemplate the possibility of settling the land question, and at the same time leaving these tenants out in the cold? It is all very well for him to say that they have been scattered to the four winds. The Amendment specifically provides for that state of things, so there is no force in his objection on that score. I will tell the right hon. Gentleman what is the meaning of his clause. Its meaning is that persons previously unconnected with the land and having executed no improvements upon it, having also paid nothing for those improvements, but simply having squatted down and chosen to defy local opinion, shall qualify themselves as purchasers of the landlord's interest at the expense of the British taxpayer, and shall pay nothing for the tenant's interest. I say that that is a gross fraud upon the public, and one which it is impossible to defend on the ground of equity. The second portion of the Amendment deals with a most important class of tenants—I mean the sub-tenants. Under the provisions of this Bill there is no possibility of a sub-tenant acquiring any interest in his holding. He is to be absolutely excluded from the benefits of the Bill, and to be left at the mercy of the middleman. That is a great defect in the Bill. There are 50,000 sub-tenants in Ireland, and something certainly ought to be done to enable them to come within the operation of the Bill and to purchase their holdings. Surely the Chief Secretary could frame some better argument against this Amendment than moving "That the Question be now put." I see he is awaiting an opportunity to jump up and do that.

It being after Midnight, the Chairman proceeded to interrupt the Business.

Whereupon Mr. Arthur Balfour rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

(12.0.) The Committee divided:—Ayes 131; Noes 68.—(Div. List, No. 210.)

Question put accordingly, "That those words be there added."

(12.10.) The Committee divided:—Ayes 73; Noes 129.—(Div. List, No. 211.)

(12.20.) Mr. SEXTON: Mr. Speaker, I have to state that Irish Members here have been prevented from discharging their duty to their constituents by the application of the Closure in a Debate upon a question of vast importance, and in which only three Irish Members have spoken, and I have to give notice that we shall think it our duty, on the Question "That Clause 6 stand part of the Bill," to debate the question that the right of speech has been invaded.

Mr. BARTLEY (Islington, N.): On that subject, am I at liberty to state, Sir, that during the greater part of the Debate there was only one Irishman here?

Mr. M. J. KENNY: It is absolutely false.

*Mr. SPEAKER: Order, order!

Committee report Progress; to sit again to-morrow.

LAND PURCHASE (IRELAND) ACTS.

Copy ordered—

"Of the Judgments of Mr. Commissioner Lynch in the cases of Walshe *v.* The Marquess of Waterford, and Flynn and others *v.* The Marquess of Waterford."—(*Mr. T. M. Healy.*)

House adjourned at half after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, 12th May, 1891.

THE MANIPUR DISASTER.

OBSERVATIONS.

*THE SECRETARY OF STATE FOR INDIA (Viscount CROSS): My Lords, with reference to the answer which I gave to my noble Friend the Marquess of Ripon yesterday, I, of course, at once telegraphed that answer to the Viceroy, and I have just this moment received the following telegram from him:—

"There is no foundation for the report that a reward has been offered by us for the rebels, dead or alive."

TRUCK BILL [H.L.]

A Bill to consolidate and amend the law relating to truck—Was presented by the Lord Kenry (*E. Dunraven and Mount-Earl*); read 1ª; and to be printed. (No. 127.)

PRIVATE AND PROVISIONAL ORDER CONFIRMATION BILLS.

Ordered—

"That Standing Orders No. XCII. and XCIII. be suspended; and that the time for depositing petitions praying to be heard against Private and Provisional Order Confirmation Bills, which would otherwise expire during the adjournment of the House at Whitsuntide, be extended to the first day on which the House shall sit after the Recess."

MARRIAGE ACTS AMENDMENT BILL [H.L.]—(No. 118.)

Order of the Day for the Third Reading, read.

Bill read 3ª (according to order.)

Amendment made.

*THE BISHOP OF CARLISLE: Before the Bill passes I wish to ask your Lordships' permission to move the insertion of a new clause. I explained upon the Report being received the reason for this new clause being required. It is manifest that if this Bill becomes an Act it will throw considerable and rather complicated duties upon the clergy with regard to the publication of banns, and it is essential that something is done to alleviate the difficulties thus arising. I, therefore, propose a new clause for that purpose, which will come between Clauses 20 and 21.

Amendment moved,

After Clause 20, to insert as a new clause "It shall be the duty of the Registrar General to prepare and cause to be printed a form of banns-book suited to the provisions of this Act, and to transmit upon application from time to time a copy of the same to the minister of any church in which banns may be lawfully published."—(*The Bishop of Carlisle.*)

Agreed to.

Bill passed and sent to the Commons,

PRESUMPTION OF LIFE LIMITATION (SCOTLAND) BILL.—(No. 104.)

House in Committee (according to order); Bill reported without amendment; and re-committed to the Standing Committee.

HERRING BRANDING (NORTHUMBERLAND) BILL.—(No. 92.)

House in Committee (according to order); Bill reported without amendment; and re-committed to the Standing Committee.

ENDOWED CHARITIES (NOTTINGHAM.)

*VISCOUNT GALWAY: My Lords, I have upon the Paper a notice to move for copies of the General Digest of Endowed Charities for the Counties and Cities mentioned in the Fourteenth Report of the Charity Commissioners relating to the County of Nottingham (in continuation of House of Commons Parliamentary Paper, No. 292—I., of 1871.) As I understand that the Return for which I ask is being prepared in a series for production in the House of Commons I will postpone my question for the present, hoping that this Adjournment may render it unnecessary.

BUSINESS OF THE HOUSE.

Ordered, That the Evening Sitting of the House on Tuesday the 26th instant do commence at a quarter past Four o'clock.

House adjourned at a quarter before Five o'clock, to Tuesday the 26th instant, a quarter past Four o'clock.

HOUSE OF COMMONS,

Tuesday, 12th May, 1891.

PRIVATE BUSINESS.

GREAT NORTHERN RAILWAY (IRELAND) BILL—(*by Order*).

As amended, considered.

*Mr. JORDAN (Clare, W.) rose to move the insertion of the following clause:—

"The company shall provide waiting rooms and other necessary accommodation for passengers at the north-eastern platform of the Enniskillen Station, and shall run an additional train daily from Enniskillen to Clones in the evening, and one from Clones to Enniskillen in the morning, at such times as shall satisfy the Board of Trade."

*Mr. SPEAKER: The House will recollect that on the Second Reading of this Bill the hon. Member moved an Amendment which I ruled out of Order. The Amendment which he now proposes to move is of a similar character, and it is also out of Order.

*Mr. JORDAN: Can I move it as an addition to any part of a clause?

*Mr. SPEAKER: No.

Bill ordered to be read the third time.

MANCHESTER SHIP CANAL BILL.

(*by Order.*)

Read a second time, and committed.

Motion made, and Question proposed,

"That it be an Instruction to the Committee to consider the advisability, in the public interest, of requiring the fulfilment of the provisions of Clause 199 of the Manchester Ship Canal Act of 1885, which provides for the vesting of the undertaking in a Public Trust as a condition precedent to the sanction of any municipal guarantee for the raising of additional capital."—(*Mr. Philip Stanhope.*)

And, objection being taken, further proceedings stood adjourned till To-morrow.

MR. DE COBAIN.

Address for—

"Copy of Warrant for the Arrest of Mr. Edward S. W. De Cobain, Member for East Belfast."—(*The Chancellor of the Exchequer.*)

QUESTIONS.

MANIPUR.

Mr. GOURLEY (Sunderland): I beg to ask the Under Secretary of State for India whether his attention has been called to a statement in the Press, copied from the *Allahabad Pioneer* of the 17th April—

"That, in view of the probable flight to Burma of the Manipuri nobles responsible for the recent outrages, the Chief Commissioner has issued a Proclamation offering heavy sums for the heads of 'the Regent,' 'the Senaputty,' and those of the Councillors and Generals who were concerned in the outbreak";

whether this Proclamation was issued with the knowledge of the Indian Government and Secretary of State for India; if not, what measures have been adopted for its withdrawal; and will he state the nature of the Court under which the leaders of the rebellion captured are to be tried?

The UNDER SECRETARY of STATE for the COLONIES (Baron H. de Worms, Liverpool, East Toxteth): On behalf of my right hon. Friend, I have to say that the Secretary of State has received no official information on the subject, but he has seen in the newspapers a copy of the Proclamation of the Chief Commissioner of Burma, the material part of which is as follows:—

"This is to give notice that any such persons"

—that is, the Regent of Manipur and those of his Councillors, Generals, and followers concerned in the murder of Mr. Quinton and his companions—

"taking refuge in Burma are to be seized and delivered up to the nearest Magistrate and police officer, and that rewards will be granted as stated below for the capture of the persons named."

The rewards vary from 1,000 Rs. to 5,000 Rs. The reply to the second paragraph of the question is that the Secretary of State sees nothing in such a Proclamation to require his interference. In answer to the third paragraph, I have to say that the nature of the Court will be found described in the Blue Book which will be certainly distributed before the House rises for the holidays. The leaders of the rebellion are to be tried by a Court consisting of three officers, including at least one political

officer, their sentences to be subject to the confirmation of the Government of India.

WRECKAGE ON THE CHESIL BEACH.

SIR W. PLOWDEN (Wolverhampton, W.): I beg to ask the First Lord of the Admiralty whether, considering the grave inconvenience occasioned to fishermen by the wreckage in the neighbourhood of the Chesil Beach, west of Portland, he will be able to experiment as to the possibility of removing this wreckage by dynamite, or otherwise employing Her Majesty's ships at Portland, Portsmouth, or Devonport, and naval divers for this purpose?

*THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD, Lancashire, Ormskirk): The Dorset County Council were informed in June last, in reply to a similar question, that the district in question was not within the jurisdiction of the Admiralty, the Board of Trade being the authority. I understand that the local fishermen in the neighbourhood objected to the wreckage being blown up, as being likely to increase rather than diminish the obstructions to their calling.

SIR W. PLOWDEN: May I ask if the hon. Gentleman will communicate upon the subject with the Trinity Board?

*MR. FORWOOD: The Board of Trade is the authority in charge, and the hon. Member had better put a question to the President of the Board of Trade.

THE PARCELS POST.

MR. BLUNDELL MAPLE (Camberwell, Dulwich): I beg to ask the Postmaster General if, in view of the great development which has taken place in the Parcel Post, especially in regard to articles of consumption, and that goods, such as dairy produce, tea, coffee, &c., are sold by the pound, it would be possible to arrange that, under the Parcel Post Service, 17 ounces should be considered as each pound, so as to allow for the weight of packing materials; and if, at the same time, the maximum weight under the Parcel Post could be increased from 11lbs. to 14lbs.?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): Suggestions for developing the use of the Parcel Post for the conveyance of dairy produce, flowers, &c., were made to me yesterday by a deputation, and I shall be glad to consider that now made by the hon. Member together with them. Similar proposals, I may say, were not unfavourably viewed some years ago by one or more of my predecessors. There is a good deal to be said for the suggested raising of the maximum limit of weight, which, indeed, has been long since proposed from within the Department, but hitherto, Her Majesty's Government has not seen its way to an adoption of the change.

LAMBETH FREE LIBRARY.

GENERAL FRASER (Lambeth, N.): I beg to ask the President of the Local Government Board if, in view of the fact that out of 28,308 voting papers filled up in the recent Lambeth Free Library polling, 9,358 were officially declared to be spoiled, and that the majority in favour of the extra halfpenny was only 374, he will, before allowing this extra halfpenny to be paid out of the Lambeth Poor Rates, cause an inquiry to be made into the assertions of many inhabitants that the immense number of spoilt voting papers was the consequence of the way in which the question was put to the voters, and, further, that persons went about the poorer districts of North Lambeth telling the voters not to append their names to the papers, as voting was on this occasion by ballot?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I have communicated with the Vestry Clerk of the Parish of Lambeth with reference to the recent voting, and I am informed that there were 9,358 voting papers officially declared to be invalid. Of these 7,163 were blank papers not marked in any way, so that the number of papers which were invalid for defect in marking of all sorts was 2,195. The number of votes was 18,950. The voting paper was in the form prescribed by the Statute, and showed on the face of it that it must bear the signature of the voter. The presiding officer states that no voter has made any complaint or statement to him as to any particular case in which the voter was told not to append his name to the voting paper. As regards the inquiry whether the

Local Government Board, before allowing the extra halfpenny rate to be paid, will cause an Inquiry to be made into the assertion referred to in the question, I must point out that the Local Government Board have no jurisdiction in the matter, and that no sanction on their part to the levying of the rate is required.

MEAT SUPPLY TO THE ARMY.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War if he can say what proportion of the meat supplied to the troops at home is home-grown meat, and how much is refrigerated or foreign; and what was the average price per pound paid for each of these kinds of meat during the last financial year?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): At most of the large military stations beasts are delivered alive. They are bought in the home markets, but their place of origin is unknown. Very little refrigerated meat is used, and its use, where employed, is limited to the cool months. The average price of all meat at home during 1890-91 was 5 19-20d. per lb., but I have no figures which would enable me to state the prices according to the place of origin. I can only repeat what I said on the 10th of March—that I shall always try, when a due regard for economy admits of it, to give the preference to home-grown meat of good quality.

POLICE MATRONS.

MR. H. J. WILSON (York, W.R., Holmfirth): I beg to ask the Secretary of State for the Home Department what progress has been made in respect to the appointment of police matrons either in London or the provinces; and whether he will lay upon the Table the Report of the experienced officers who were considering this subject in December, 1890?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): As a result of the deliberations of the Departmental Board which has been considering this question, the Commissioner of Police has made a proposal that at all stations at which there are cells female warders shall be appointed, who will be available, when required, to attend upon females in custody. The question of the expenditure which such a system would entail is now under consideration. It would not be usual to lay a Departmental Report of this nature on the Table, but the suggestions made are practically contained in the proposal of the Commissioners.

ARMY QUARTERMASTERS.

MR. CAUSTON (Southwark, W.): I beg to ask the Secretary of State for War whether on the Committee over which Lord Wantage presides, and which has been appointed to inquire into the difficulties of Army recruiting, the Army Quartermasters and Riding Masters are represented; and if not, whether he will add representatives from this class, from which the recruits for the Army are furnished?

*MR. E. STANHOPE: Lord Wantage's Committee is composed of officers who represent efficiently the various military interests, and among them is an officer who has had Rank Service. The actual question of the position of Quartermasters and Riding Masters is not before the Committee. It has, moreover, been dealt with comparatively recently, and I have no intention of re-opening it.

MR. CAUSTON: Is there any reason why the Quartermasters and Riding Masters should not be represented?

*MR. E. STANHOPE: Every interest will be represented.

MISSION FROM GUNGUNHANA.

SIR G. BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government has any knowledge of the mission which, it is reported, the Gaza Chief Gungunhana is sending to England; whether this chief has declared himself quite independent of Portuguese control; and whether he has communicated to the Government any desire for close alliance with the British Empire?

BARON H. DE WORMS (for Sir J. FERGUSSON): The Chief Commissioner has reported that two messengers from Gungunhana are being sent privately to England. They have not been officially recognised. 2 and 3. Any declarations or communications made by Gungunhana

have been made to private individuals. As far as our present information goes, much of the territory claimed by Gungunhana has been recognised by this country as Portuguese dominion in earlier Treaties.

SEIZURE OF THE *LYDIA PESCHAN*.

MR. WATT (Glasgow, Camlachie): I beg to ask the Under Secretary of State for Foreign Affairs whether the Government have received advice as to the amicable settlement of the matter of the seizure of the *Lydia Peschan*, by the agent, Mr. Edgar Tripp, accredited to Caracas on behalf of those interested?

BARON H. DE WORMS (for Sir J. FERGUSSON): The consignees of the *Lydia Peschan* and agents of her owner have declined to send an agent, as suggested by the Venezuelan Authorities, with a view to the amicable settlement of the case. Her Majesty's Consul at Caracas has been authorised to explain to the Venezuelan Government that the parties interested in the matter have left it to be dealt with by Her Majesty's Government, and he has been directed to invite them to make to Her Majesty's Government such offer for a final settlement of the case as they have already expressed their readiness to make to the consignees of the vessel.

EXPORTS FROM TRINIDAD TO VENEZUELA.

MR. WATT: I beg to ask the Under Secretary of State for the Colonies whether he can state the value of the exports from Trinidad to Venezuela during last year, and also the maximum value reached during the last ten years; whether he has received any communication from the Governor as to the scheme elaborated by the Committee of the Venezuelan Congress for the abolition of the 30 per cent. differential duty on imports from Trindad and other West Indian Islands; and whether the duty applies to the Colony of British Guiana?

BARON H. DE WORMS: Exclusive of bullion and specie the total value for 1890 was £174,748, of which £89,918 represents goods in transit. The maximum value of exports to Venezuela during the last 10 years excluding bullion, &c., in 1881 was £252,686 of which £130,962 represented goods in transit. The answer to the 2nd question is in the negative and to the 3rd in the affirmative.

EXCISE OFFICERS.

MR. C. T. DYKE ACLAND (Cornwall, Launceston): I beg to ask the Chancellor of the Exchequer whether he has taken into consideration the case of some Excise officers who, notwithstanding the general increase in their salaries and prospects, happen for the time to be adversely affected by the abolition of extra payment formerly paid to them for the collection of acreage returns of agricultural statistics?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The Treasury has authorised the Board of Inland Revenue to make arrangements by which no Excise officer shall have a smaller income this year than he had last in consequence of the recent introduction of the new scale of salaries.

THE POST OFFICE.

MR. CLANCY (Dublin Co., N.): I beg to ask the Postmaster General why the remuneration fixed by a Treasury Minute of July, 1890, for all indoor officers performing Sunday duty in the various departments of the Post Office has not yet been paid; when will it be paid; and when paid, will it be calculated as from the date of the Treasury Minute in question?

*MR. RAIKES: In reply to the hon. Member, I have to state that the Minute referred to authorised additional payment for Sunday duty to sorting clerks and telegraphists, and I am not aware of a single instance in which the money has not been paid. If the hon. Member can mention any case in which it has not been paid I will inquire into it.

CHAPLAINS IN SCOTCH POORHOUSES.

MR. J. WILSON (Lanark, Govan): I beg to ask the Lord Advocate whether there is any statutory provision directing or authorising the appointment of ministers of the Established Church as chaplains in Scotch poorhouses; whether the remuneration of clergymen of the Established Church, or other denomination, for ministering to inmates of such poorhouses is entirely within the discretion of Parochial Boards and the

Board of Supervision; and whether the powers of Parochial Boards and the Board of Supervision to provide for the remuneration of clergymen for ministering to inmates of poorhouses must in every case be restricted to ministers of the Established Church?

*THE SOLICITOR GENERAL FOR SCOTLAND (Sir C. PEARSON, Edinburgh and St. Andrew's Universities): I am not aware of any statutory provision on this subject. In answer to the second paragraph, the remuneration of chaplains of poorhouses is within the discretion of the Parochial Boards. The answer to the third paragraph is in the negative. The only rule of the Board of Supervision on the subject is that the chaplain should be an ordained minister or licentiate of a Protestant Church.

NATIONAL SOCIETY'S SCHOOLS.

MR. PICTON (Leicester): I beg to ask the Vice President of the Committee of Council on Education whether the number of school places provided by the National Society are in all cases reckoned at eight square feet per child in average attendance; whether there have been within the last three years any cases in which the average attendance has exceeded the number allowable at eight square feet per child; and, if so, whether the grant or any portion has been withheld; and whether, in any of the newer schools of the National Society, the space allowed is more than eight square feet per child; and, if so, how many?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The hon. Member is mistaken as to the functions of the National Society which does not provide schools, but the accommodation in schools connected with it was, up to the date of last year's Code, provided on the same basis as that in schools connected with the Wesleyan Body or the British and Foreign School Society, namely, that of eight square feet per child. In some cases this has, no doubt, been exceeded, but never without a warning that the grant will be endangered if such a state of things is allowed to continue. For the rule to which new schools must now conform, I can only refer the hon. Member to Art. 85 of the Code.

Mr. J. Wilson

STORNOWAY LICENCES.

MR. MUNRO FERGUSON (Leith, &c.): I beg to ask the Lord Advocate whether his attention has been called to the reversal by the Dingwall Quarter Sessions of the decisions of the Justices of the Peace for Lewis in regard to the Stornoway licences; whether he is aware that the people of Lewis are practically unanimous in desiring that those Stornoway licences should be withdrawn in the public interest; and whether he will propose some change in the Licensing Law?

*SIR C. PEARSON: The Lord Advocate has no knowledge of the matters referred to in the question, and there is no present intention of proposing any change in the Licensing Laws.

THE SCOTCH GRANT.

MR. MUNRO FERGUSON: I beg to ask the Chancellor of the Exchequer whether, in the event of any part of the probable grant of £200,000 to Scotland being devoted to the relief of local taxation, he will make special provision to meet the case of the unusually high rates which prevail in certain Highland parishes, more especially as in 1889 an intended grant of £30,000 to the Highlands and Islands was reduced to £10,000?

MR. GOSCHEN: I presume the question of the hon. Member is intended rather to suggest a policy than to elicit information. At all events, I fear I cannot give him any reply different from that which I have given to other hon. Members in the House.

THE INFLUENZA EPIDEMIC.

MR. CALDWELL (Glasgow, St. Rollox): I beg to ask the First Commissioner of Works whether his attention has been called to the number of Members of the House of Commons absent through influenza, and to the probable presence of influenza microbes in and about the House and other premises; and whether he will take steps to have the same, so far as frequented by Members of the House, thoroughly cleaned and fumigated during the Whit holidays?

*MR. HOWARD VINCENT (Sheffield Central): Before the right hon. Gentleman answers the question, I wish

to ask whether his attention has been called to the allegation of the Sheffield papers of this day, that 267 persons have died of influenza within the borough in the past three weeks, and that the figures of the death-rate are without precedent; and, having regard to the fact that the Metropolis and other parts of the country are in like condition, whether the Government will, instead of pro longing the holidays of the House of Commons, consider steps to ascertain the cause of the epidemic, and the best means of averting the recurrence of its disastrous effects on the people, to whom illness means loss of employment and wages.

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): I am well aware of the ravages which the prevailing epidemic has made amongst the Members of this House, and I have given directions that our Committee Rooms shall forthwith be fumigated with sulphur, which I am advised is the best method of checking the spread of the disease. I shall adopt the same process in such other parts of the House as it may seem possible at once, and I shall avail myself of the Whitsuntide Recess for the purpose of completing the operation.

MR. CALDWELL: I beg to ask the Chancellor of the Exchequer whether his attention has been called to the number of Members of the House of Commons absent through influenza, and to the necessity of having the House and other premises thoroughly cleaned and fumigated during the Whit holidays; and whether, to enable this to be done, and to afford the sufferers a reasonable time to recruit, Her Majesty's Government will extend the Whit holidays till Monday the 25th instant?

MR. GOSCHEN: With regard to the question put to me, I have seen the report to which the hon. Member for Sheffield refers; and the House will, I am sure, feel sympathy with the sufferings of the population from this disease. But I am glad to see in the very paper to which the hon. Gentleman has called attention that there is universal testimony to the fact that the number of cases is declining, and that in most of the works and places of business the pressure is passing away. I see that one medical man who had been overworked has now only two cases on his hands, so I trust that the hon. Member will find that the disease is declining among his constituents. With reference to the general question, of course the attention of the Government has been called to the seriousness of the epidemic which has visited so many Members of the House; and I am sorry to say that the Members of the Government have had their share, and even in a larger proportion than any other part of the House. But with regard to the question which has been especially directed to the length of the holidays, the Government is at present unable to make any communication to the House; we must watch and see what further progress is made with the Land Purchase Bill which is now occupying the House; but, as soon as possible, my right hon. Friend the First Lord of the Treasury will take the House into his confidence, and will consider what can be done. At present we must see what progress is made with the Land Purchase Bill.

NAVAL RESERVE MEN.

MR. ROWNTREE (Scarborough): I beg to ask the Secretary to the Admiralty what are the changes proposed to be made at Scarborough in the accommodation for the Naval Reserve men when on drill in that port in place of the existing battery described as being in a bad condition in the official Return of 13th of March last, and when such changes are contemplated?

*MR. FORWOOD: A space has recently been covered in to serve as a temporary drill shed for the Naval Reserve men at Scarborough. It is proposed to include new Royal Naval Reserve buildings there in next year's Estimates.

THE TUBERCULOSIS COMMISSION.

MR. ROWNTREE: I beg to ask the President of the Local Government Board if, in return for the co-operation of Medical Officers of Health in collecting information for the Royal Commission on Tuberculosis, and on other matters, and in view of the great importance of imparting the results of governmental inquiries on sanitary matters to officers officially responsible for the health of the people, he will use his influence to have the Reports of such Commissions, and of the Medical Officer of the Local

Government Board, sent in return to such Medical Officers of Health as may have furnished contributory information towards the preparation of such Reports?

*Mr. RITCHIE: As regards the Reports of the Medical Department of the Local Government Board, the Board are in the habit of forwarding copies of such Reports on local inquiries to local officers who have given assistance to the Board's Inspectors in the inquiries. It is also the practice of the Board to distribute a certain number of copies of the Annual Report of the Medical Officer of the Board. In the case also of special Reports, such as that on the smallpox epidemic at Sheffield, a considerable number of copies have been distributed among officers of Sanitary Authorities. Any applications that the Board may receive for such Reports will be considered with the desire to meet them, so far as is practicable, within the limits which may be fixed by the Treasury. I may at the same time observe that it is quite within the power of a Sanitary Authority to purchase at the cost of the rates Reports of this character, which they may consider will assist their officers in the discharge of their duties.

THE ETIQUETTE OF THE BAR.

Mr. P. STANHOPE (Wednesbury): I beg to ask the Attorney General whether it is opposed to the traditions and proper professional conduct at the Bar that Members of the Bar, who are sons of County Court Judges, should locally settle for practice in towns within their father's districts, and should regularly practice in their father's Courts; and whether, considering the constitution and jurisdiction of County Courts, it is also calculated to shake public confidence in the administration of justice?

*The ATTORNEY GENERAL (Sir R. Webster, Isle of Wight): My answer to the first paragraph of the hon. Member's question is in the affirmative. The second involves a matter of opinion, on which the hon. Member is as well able to form a judgment as I.

THE MAIL TRAIN FROM SLIGO.

Mr. COLLERY (Sligo Co., N.): I beg to ask the Postmaster General whether passengers are not allowed to travel by the 9 o'clock p.m. mail train from Sligo to Dublin; and, if so, whether, in view of the great inconvenience of persons not being able to leave Sligo for Dublin later than the ordinary 4 p.m. train, he will exercise his influence with the Midland Great Western Railway Company to allow passengers to travel by the mail?

*Mr. RAIKES: The mail train referred to by the hon. Member runs at hours fixed by the Post Office under the general contract with the Railway Company, and carries goods but not passengers. The question of allowing passengers to travel by it is one for the company, with whom I cannot pretend to have any such influence as the hon. Member is good enough to attribute to me.

LAND COMMISSION—WESTMEATH.

Mr. TUITE (Westmeath, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will state the number of fair-rent applications from County of Westmeath remaining undisposed of, also the number of fair-rent appeals entered and not yet decided; and if he will give the dates of the next sitting of the Sub-Commission for Westmeath?

The CHIEF SECRETARY for IRELAND (Mr. A. J. Balfour, Manchester, E.): The Irish Land Commissioners report that the number of holdings purchased by tenants in the County Westmeath, and of which the sales have been completed, was, up to April 30, 1891, 120, and the amount advanced for same was £93,652. The Commissioners report that on April 30, 1891, the number of fair-rent applications from the County Westmeath in which judgment had not been delivered was 299, and the number of fair-rent appeals entered and not decided was 41. The next sitting of a Sub-Commission for the county will be on June 2, for which 86 cases have been listed.

THE IRISH ESTATES OF THE LONDON COMPANIES.

Mr. CLANCY (Dublin Co., N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Government will take any immediate steps to carry out the recommendations contained in the Report of the Select

Committee on the Irish Estates of the London Companies, which has within the last few days been laid upon the Table of the House?

MR. A. J. BALFOUR: The Government have not had an opportunity of considering the Select Committee's Report mentioned, which has not yet been distributed.

LAND DEPARTMENT BILL.

MR. CAREW (Kildare): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in view of the probability of the Land Department Bill not passing into law this Session, he will consider the advisability of transferring from that measure to the Land Purchase Bill the clause relating to the long leaseholders?

MR. A. J. BALFOUR: The clause relating to long leaseholders would, I believe, not be in order in the Bill now under discussion, so that I fear it would not be possible to carry out the suggestion of the hon. Gentleman.

POSTAGE OF REGISTRATION FORMS.

MR. JORDAN (Clare, W.): I beg to ask the Postmaster General if he has seen the Report of the Enniskillen Board of Guardians, on Tuesday last, the 5th instant, in reference to the cost of the Returns of (A) requisition forms under the Registration Act of 1885; whether it is true, as alleged by the Chairman of the Board, that the Post Office authorities charge double the ordinary postage rate for the delivery to the Clerk of the Union of unstamped forms; whether this extra postage will cost that Union £20 for this year; whether the Clerk of the Union has any option but to pay the double postage and receive the forms; and whether, as the Return is mandatory and the Statute penal, he will, under all the circumstances, make arrangements to have these necessary legal forms delivered, either free, or at the usual single postage rate?

MR. RAIKES: I understand that a communication has been addressed to the hon. Member asking him to furnish a specimen of the form on which surcharge is alleged. On the receipt of that specimen, I will cause inquiry to be made.

TULLAMORE GAOL—CASE OF MR. JOHN CULLINANE.

MR. M. HEALY (Cork): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how many prisoners in Tullamore Gaol are now suffering from typhoid fever; if any prisoners there are suffering from influenza; and, if so, how many; whether the prison doctor knew that the disease from which Mr. John Cullinane was suffering was typhoid fever, or did he share the mistake made by the medical member of the Prisons Board, and think it influenza; and whether any arrangements are being made to remove from Tullamore the prisoners who have so far escaped the fever?

MR. A. J. BALFOUR: There are 11 prisoners at present suffering from typhoid fever in Tullamore Gaol. There are four prisoners also slightly ailing, and under observation. There is no case of influenza in the prison, but cases of this disease are known to exist in the town of Tullamore and neighbourhood. It was on the authority of the medical member of the Prisons Board alone that the disease was at first pronounced to be influenza. The medical officer of the prison, not joining in Dr. Woodhouse's opinion, treated Cullinane's case from the beginning as typhoid, which treatment was subsequently approved by his own medical attendant. Thirty-four of the prisoners whose sentences would expire within a month were released yesterday, but pending the result of an inquiry by sanitary experts, namely, Sir Charles Cameron and Mr. Kaye Parry, the Board are not prepared to recommend any further steps in this direction.

MR. SEXTON (Belfast, W.): When will the inquiry take place; and would it not be better on the whole to remove the prisoners from all risk of contamination?

MR. A. J. BALFOUR: The investigation has been going on for some days, and I fancy that it is near its termination.

IRISH HOLDINGS.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will lay the Return of

figures respecting the relative proportions of holdings in Irish counties above and below £30 value, quoted from by him on the 8th instant, upon the Table as a Parliamentary Paper?

MR. A. J. BALFOUR: I am having some figures compiled on the subject mentioned, which I hope to lay upon the Table.

INTERMEDIATE EDUCATION IN IRELAND.

MR. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, by their new Rule No. 8, the Board of Intermediate Education in Ireland intend that a student in his 14th year, who this year passes in the junior grade for the second time, should next year, when only in his 15th year, enter for the middle grade, intended for students in their 17th year; and, if not, what other course of study they intend for students so situate? I have also to ask whether, for the purpose of showing the effect of their new Rule No. 8 in practice, the Board of Intermediate Education in Ireland will, without delay, supply a Return in the following form: (a) number of junior grade students who passed in June, 1890, being in their 13th year on the 1st June, 1890; (b) like in their 14th year on the date mentioned; (c) the number of junior grade students who have sent in their names for the forthcoming examination in June, 1891, and who will be in their 13th year on the 1st June, 1891; (d) like in their 14th year on said date; (e) the number of middle grade students who passed in June, 1890, and who had either attained or were under 15 years of age on the 1st June, 1890; and (f) the number of middle grade students who have sent in their names for the forthcoming examination in June, 1891, and who will either attain or be under the age of 16 years on the 1st June, 1891; whether by No. 8 of the new rules of the Board of Intermediate Education in Ireland, teachers, and second year students in the junior grade, have been compelled, at six weeks' notice, to choose between entering for this year's examination, and thereby surrendering the chance of passing with honours in a future year, or to forfeit the whole results of last year's study by postponing their examination till next year; whether as it now stands the rule will, as regards next year and afterwards, treat students who this year pass a second time in the junior grade as if they had got the benefit of the "preparatory grade," which comes into force next year for the first time; whether the rule operates in an analogous way on students for the middle and senior grades; and whether, owing to this, teachers and students are placed in a position of great embarrassment, their plan of study for the past year having been based on the assumption that the existing rules would not be altered, and this rule being now published for the first time six weeks before the coming examination? I beg further to ask the right hon. Gentleman at what date the Board of Intermediate Education in Ireland propose to meet to consider the objections which have been taken to No. 8 of their new rules; and whether they will come to a decision at a reasonable date before the coming examinations for this year; also to ask whether, since the intermediate education system was established in Ireland, it has been customary for teachers and pupils very generally to make the junior grade a four years' course by increasing the number of subjects at each year's examination during that period; whether the new preparatory grade in effect recognises this practice and allows two examinations in that grade and two afterwards in the junior grade or four in all before a student is compelled to enter for the middle grade; and why the Commissioners, by making Rule 8 retrospective, limit students who pass this year in the junior grade to a two years' course, though all past students and all future students have had and will have a four years' course before entering for the middle grade?

MR. A. J. BALFOUR: I have not yet been able to obtain information to enable me to reply to the questions of the hon. Member.

MR. M. HEALY: Do I understand the right hon. Gentleman to say that he is unable to reply to any of these questions?

MR. A. J. BALFOUR: Yes, Sir.

NEWFOUNDLAND.

MR. BRYCE (Aberdeen, S.): May I ask the Chancellor of the Exchequer if

he can now state what course the Government propose to take in regard to the Newfoundland Bill, seeing that it has passed the House of Lords?

MR. GOSCHEN: I must ask the hon. Gentleman to repeat his question on Thursday.

PORTUGAL.

MR. BRYCE: I hope the right hon. Gentleman the Under Secretary of State for the Colonies will be able to say whether the *modus vivendi* in regard to Portugal has been prolonged?

No answer was returned.

NEW MEMBERS SWORN.

The Right Honourable William Henry Smith for the Borough of Strand; John William Logan, esquire, for the County of Leicester (Southern or Harborough Division).

MOTIONS.

CAPTAIN EDMUND HOPE VERNEY.

*(4.5.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I beg to move—

"That the letter addressed to Mr. Speaker by Mr. Justice A. L. Smith respecting the conviction before the Central Criminal Court of Captain Edmund Hope Verney, member for North Buckinghamshire, and the record of the proceedings upon his trial be taken into consideration."

Before I discharge the most disagreeable duty which is cast upon me, I wish to address a question to you, Sir, with regard to the course which in your judgment ought to be followed in this matter. I believe it is usual, when the conduct of any Member of this House is brought under the serious consideration of the House, that notice should be given to that hon. Member, and an order be made that he should attend in his place to answer any charges which may be brought against him. I do not know, Sir, whether you are of opinion that any difference is to be made in dealing with the particular case which is now to be brought under the consideration of the House, with which the House is unfortunately charged; but, Sir, I should wish to ask your view, as it would be certainly a cause of great regret to me if I asked the House to depart from the usages which have always governed its action, or generally governed its action, unless the circumstances should in your judgment, and in the judgment of hon. Members of this House, be so clear and so sufficient for the action of the House for it to be unnecessary to serve the order upon the hon. Member and to require his presence in the House—a circumstance which would, I think, cause pain and sorrow to many besides the hon. Member, and to many whom this House would desire to spare the pain and grief which must accompany all the circumstances.

*(4.8.) MR. SPEAKER: In reply to the right hon. Gentleman, I have to say that, looking at the precedents in these unhappy cases, it is certainly customary that notice should be given to the incriminated Member to attend; but the House will remember that in the letter which he wrote to me the learned Judge states that the hon. Member has been convicted of a misdemeanour on his own confession. I think, therefore, that that constitutes a difference which the House will, no doubt, take into account. But I am informed that in order that nothing might be done which might seem to prejudice in any way, or to be unfair to a Member of this House in the position in which the hon. Member has been placed, he has been informed by those who are best entitled to advise him of the course which the House is about to adopt in this case, and therefore everything has been done to avoid any kind of undue haste or the taking of any course which might in any way prejudice the hon. Member. Under these circumstances, if I may be allowed to say so, I think it is perfectly competent for the House to proceed on the information now before it, and that the attendance of the hon. Member is not necessary.

*(4.10.) MR. W. H. SMITH: I do not conceive there is any opposition on the part of any hon. Member to the view which you have expressed, and I have now only the painful duty to make the Motion which stands in my name. I think it is usual in a case of this kind that the Judge's letter should first of all be read before any Motion is made.

The letter (see page 259) addressed to Mr. Speaker by Mr. Justice Smith respecting the conviction before the Central Criminal Court of Captain Edmund Hope Verney, Member for North Buckinghamshire, read.

*Mr. W. H. SMITH: My right hon. Friend the Chancellor of the Exchequer, in my absence, moved for a copy of the record of the proceedings of the crime or indictment against Captain Edmund Hope Verney, a Member of this House. That record is now in the possession of hon. Gentlemen. [*Opposition cries of* "No!"] At all events, it has been placed in the Vote Office, and is accessible to any hon. Member who may desire to obtain it. It is within the knowledge of the House that the hon. Member pleaded guilty to the fourth, fifth, sixth, seventh, eighth, and ninth counts of the indictment to which I now refer. I do not know whether, in order that we should be perfectly regular, those counts should be read by the Clerk at the Table [*Cries of* "No, no!"] But I should hope the House will dispense in the present circumstances with what I take to be a formality. Every Member can be put in full possession of all the facts of the case if he thinks fit. I am at least glad that in the position in which I find myself it is not necessary for me to enlarge upon the crime which has been committed, or on the offence of which the hon. Member has been guilty. I think I carry with me the united sense of the House when I say that the circumstances are such, painful to us as they are, as to render it impossible for the hon. Member to remain a Member of this House, and to associate with Members of this House in the discharge of the duties which belong to Members of this House. I think that, although the sentence passed by the Judge may not indicate the greatest offence which a man may commit, the character of the offence is such that we should all feel it impossible to associate with the hon. Member in this House, and we should feel that it is utterly impossible for the hon. Member efficiently to discharge his duties to his constituents and to the House of Commons longer as a Member of this House. I will not enlarge upon the facts of the case. They have been sufficiently referred to in the public prints, in the charge of the Judge, and in the address of counsel; but I may, Sir, be allowed to express the hope that there will not be a Debate upon a question of this character, which would only be most painful to those connected with the hon. Member, whose names are held in high esteem in the country, who have served the country faithfully and well, and who deserve the utmost sympathy of every Member of this House and of the whole country at the undeserved misfortune and the great sorrow which has befallen them, and in the great trouble with which they are afflicted. In deference to them—in consideration for them—I trust the House will dispose of this mostpainful question with as slight a discussion as may be fit under the circumstances. I can only say that in taking this course I have discharged a duty which has been the most painful that has ever fallen to my lot.

Motion made, and Question proposed,

"That the said letter and the record of the proceedings upon the trial of Captain Verney be now considered." —(*Mr. William Henry Smith.*)

*(4.15.) Mr. CAMPBELL-BANNERMAN (Stirling, &c.): I rise for the purpose of seconding the Motion which the First Lord of the Treasury has just made. No more solemn, no more distressing duty could ever fall to be discharged by this House than that which now devolves upon it of pronouncing judgment upon the conduct of one of our colleagues, and upon his fitness to continue to discharge the trust imposed by the Constitution upon an elected Member of Parliament. I wish to associate myself most cordially with all that the right hon. Gentleman has said on the personal aspects of this case. The hon. Member who is the subject of the Motion has not been long in the House, but he has exhibited a degree of zeal and capacity which gave promise of a future career of usefulness; and we all knew that he had served his country in his earlier years with gallantry and distinction. If we were ready to welcome any promise for his future that was shown, we were the more ready to do so—those of us at least who sat at that time in Parliament—from the vivid recollection we have of his venerable father, who during the many years he sat here was regarded on all sides of the House

as a model and type and example in all the public and private relations of life of what an English gentleman—of what a high-minded and public-spirited English gentleman—should be. But, Sir, the terrible facts which are brought formally to our notice by the letter from the Judge cannot be set aside, and I imagine in no quarter can there be any hesitation as to the course which it is our duty to pursue. I presume that there cannot be any hesitation, and that the more keenly we feel the stain that has fallen upon an honoured name, and also the amount of discredit which may be brought even upon this august Assembly by the misconduct of one of its Members, the more imperatively shall we recognise the duty which lies upon us to assent to the Motion which the right hon. Gentleman has made. I feel sure, with him, that the desire in every part of the House will be that, having this painful duty to discharge, we should accomplish it in as speedy and simple a fashion as possible. At the same time, I think it right to say that it behoves us on every occasion, and especially on an occasion such as this, to see that we duly protect the rights and privileges of the individual Members of this House. However plain the facts may be—and they are very plain in this instance—we may possibly, by some ill-considered action, create a precedent which in some future case, perhaps not altogether analogous to this, may have the effect of compromising the rights and privileges of Members of this House. In the present instance, as you, Mr. Speaker, have pointed out, our course is made plainer by the fact that the incriminated person has himself pleaded guilty to the charges on which he was arraigned. On the understanding that the hon. Member cannot have the occasion or the desire to address the House by saying anything in extenuation of his offence—on that understanding, and in that belief, I beg, without any further qualification, to second the Motion.

Question put, and agreed to.

The said letter and record considered.

Resolved, "That Captain Edmund Hope Verney be expelled this House."—(*Mr. William Henry Smith.*)

TRADE UNIONS (PROVIDENT FUNDS).

On Motion of Mr. Howell, Bill to exempt the funds of Trade Unions paying provident benefits to their members from the payment of Income Tax on their investments, ordered to be brought in by Mr. Howell, Mr. Broadhurst, Mr. Burt, Mr. Fenwick, and Mr. John Wilson.

Bill presented, and read first time. [Bill 334.]

MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled, "An Act to consolidate certain enactments relating to Evidence." [Evidence Bill [Lords.]

Also, a Bill, intituled, "An Act for the amendment of the Marriage Act, 4 Geo. IV., chapter 76." [Marriage Acts Amendment Bill [Lords.]

Also, a Bill, intituled, "An Act to revive certain sections of an Act of the fifth year of the reign of King George the Fourth, chapter fifty-one, for the purpose of carrying into effect engagements with France respecting Fisheries in Newfoundland; and for other purposes" [Newfoundland Fisheries Bill [Lords.]

Also, a Bill, intituled, "An Act for further promoting the Revision of the Statute Law by repealing Enactments which have ceased to be in force or have become unnecessary." [Statute Law Revision Bill [Lords.]

EVIDENCE BILL [LORDS].

Read the first time; to be read a second time upon Thursday, and to be printed. [Bill 335.]

STATUTE LAW REVISION BILL [LORDS].

Read the first time; to be read a second time upon Thursday, and to be printed. [Bill 336.]

ORDERS OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 6.

*(4.30.) MR. RATHBONE (Carnarvonshire, Arfon), in whose name stood the first Amendment on the Paper, proposing

an addition to the clause to the effect that the amount to be advanced for the purchase of holdings above £30 value should not exceed such proportion of the amount available in a county as the Land Commission might fix, and that in no county should the proportion fixed exceed one-fifth of the amount available, said: With the view of saving time, I wish to ask whether the Chief Secretary will undertake to make effectual his Amendment dealing with this question, which it has been admitted must be dealt with. In that case I do not propose to press the Amendment. It is a matter which will, perhaps, be best dealt with when we reach the new clauses, and I shall then be prepared to go into it.

Amendment proposed,

In page 7, line 40, after Sub-section (4), to add—"The amount to be advanced under this Act for the purchase in any county of holdings of which the annual value exceeds thirty pounds shall not exceed such proportion of the whole amount available under this Act for the purchase of holdings in that county as the Land Commission may fix, having regard to the relative number of holdings of an annual value over and under that amount in the several counties.

The proportion so fixed for holdings of an annual value of more than thirty pounds shall not in any county exceed one-fifth of the whole amount available under this Act: Provided that, if the Land Commission certify that it is, in their opinion, expedient so to do, for the purpose of purchasing whole estates or large portions of estates, they may increase the said proportion in any specified county or counties, so however that it do not in any case exceed one-third.

The Land Commission, in considering applications for advances for the purchase in any county of holdings of which the annual value exceeds thirty pounds, shall have regard to the amount at their disposal for the purchase of such holdings, and to the requirements, whether immediate or prospective, of the several estates in that county.

An advance under the said Acts for the purchase of any holding shall not exceed twenty years' purchase of the annual value of the holding as defined in this Act."—(*Mr. Rathbone.*)

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): In answer to the appeal of the hon. Member, I wish to say that I am obliged to him for the consideration he has shown for the progress of the Bill. I think it would be inexpedient that the Amendment on the Paper should be pressed now, because the Government cannot accept it in its present form, and there would be considerable inconvenience in discussing it before we have the figures I have promised to produce. I hope to produce the figures before the new clauses are reached, and I think the best course will be to defer the discussion until that stage.

*MR. RATHBONE: Will a full opportunity then be afforded for discussing the question?

MR. A. J. BALFOUR: It would be out of my power to limit any discussion the hon. Member may think it right to enter into.

*MR. RATHBONE: I think we ought to have a thorough understanding that a full opportunity will be afforded.

MR. A. J. BALFOUR: It is a matter which must rest entirely with the hon. Member himself. There is an Amendment down in my name, and if he is not satisfied with it he can move to amend it.

(4.33.) MR. SHAW LEFEVRE (Bradford, Central): I trust that the right hon. Gentleman will bring the question before the House in the shape of a new clause. I wish to take this opportunity of expressing my recognition of the conciliatory manner in which the Chief Secretary has endeavoured to deal with the matter.

MR. LABOUCHERE (Northampton): What we want to know is whether it is really intended that the discussion on the Bill shall cease by a certain date.

THE CHAIRMAN: Order, order! That is not the subject before the Committee.

MR. SEXTON (Belfast, W.): I think the right hon. Gentleman ought to give a more specific answer before we decide whether we should proceed with the discussion of this Amendment or not.

MR. A. J. BALFOUR: The Committee must be aware of the extraordinary difficulty there is in dealing with these agricultural statistics; and I do not see why I should be pressed to give pledges which after all would afford no guidance to the Committee.

MR. SEXTON: Will the right hon. Gentleman bring up a new clause?

MR. A. J. BALFOUR: I have every intention of doing so; but it is in the power of any hon. Member to move a new clause.

*MR. RATHBONE: I beg to withdraw this Amendment.

Amendment, by leave, withdrawn.

(4.35.) MR. LABOUCHERE: I beg to move the Amendment which stands on the paper in the name of my hon. Friend the Member for Dumfries (Mr. R. T. Reid). I think that a tenant who becomes an annuitant ought to start with a clean slate, all the arrears being wiped off.

Amendment proposed,

In page 7, line 40, at end, to add—"An advance shall not be made under the Land Purchase Acts for the purchase—

(1.) of any holding except upon condition that, in consideration of such advance, the holding is vested in the tenant free from any further payment or promise of payment, and that the tenant is discharged from all arrears of rent and all claims whatsoever by the landlord in respect of the said holding prior to the date of the vesting order; or

(2.) of any holding unless the Land Commission is satisfied that the terms of purchase between landlord and tenant are fair and reasonable." — (*Mr. Labouchere.*)

MR. A. J. BALFOUR: This point as to the wiping out of arrears was dealt with in Section 3 of the Ashbourne Act of 1888. I think that everything is provided for by that section.

DR. KENNY (Cork, S.): I am afraid that the Act of 1888 will afford no security. The object of the Amendment is to protect tenants against being sued for arrears of rent. I am not quite certain that the Amendment will have the desired effect, but I think there ought to be some provision to render arrears irrecoverable after purchase.

MR. M. HEALY (Cork): I think the words of the Act are insufficient, for they would not cover the case in which the tenant had given a promissory note to cover the arrears. The landlord, though estopped from suing for the arrears, could sue on the promissory note. It is a very common thing in Ireland to give promissory notes [Colonel WARING: No.] The hon. and gallant Member is mistaken, and the Act of 1888 does not provide for such a case. I hope the right hon. and learned Attorney General for Ireland will say that this abuse will be put a stop to.

COLONEL WARING (Down, N.): I hope before the right hon. and learned Gentleman answers the question the hon. Member for Cork (Mr. M. Healy) will give specific instances of abuses.

MR. SEXTON: It would considerably undermine the security of the sale if the tenant were to remain bound to pay not only the annuity, but promissory notes given in respect of arrears of rent. I would ask hon. Members to examine the Report of the Committee on the Estates of the Irish Societies, and particularly the evidence concerning the transactions of the Drapers Company. Before that Committee ample evidence was given in regard to the exaction of promissory notes and the recovery of such notes from the tenants after the sale had been completed. I think the hon. and learned Gentleman will confirm me in this, that a promissory note given by a tenant to the landlord for arrears prior to the sale is not held subsequently to be a liability affecting the tenant. I say that if this Amendment is not accepted the evident intention of Parliament will be defeated, that intention being that the signing of the agreement for sale by the tenant should discharge him of all liability for arrears, the object being to take it out of the landlord's power to extort more money from the tenant by virtue of any document signed before the completion of the transaction. This Amendment will stop the loophole through which that object might be defeated. It appears to me that the Government are thinking of the interests of the landlords and disregarding the security of the State. If you allow a farm to be sold on the basis of a certain value, and if the Land Commission sanction the sale because in their judgment the holding constitutes good security for the money advanced, and if the tenant at the same time is to be held to be liable in succeeding years not only to pay the annuity, but also to pay off promissory notes respecting liabilities incurred to the landlord before the sale and of the existence of which the Land Commission was not made aware, to what extent may not your security become imperilled! Why, the tenant may become liable every year to pay the landlord a sum exceeding the amount of his annuity. How then could he be expected to keep up his payments to the State? I urge the Government to accept this Amendment in the interests of the security of the State.

*(4.42.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): It appears to me that the Legislature has done a great deal, and probably all that could be done by Act of Parliament to prevent the tenant purchaser being over-burdened with liabilities. Under Section 30 of the Act of 1888 it is provided that the tenant when he buys under the Act shall be discharged of all liabilities between landlord and tenant affecting the holding and existing at the date of the agreement for sale. Not only are arrears of rent cancelled, but also all other liabilities affecting the holding, and I take it that even if a promissory note were given in respect of liabilities which had been cancelled. There would be no consideration for it.

MR. M. HEALY: But suppose the note has been discounted.

*MR. MADDEN: That is another matter altogether. I say that as between the parties there is a statutory cancelling of entire obligations in regard to the holding, I doubt the Legislature can go beyond that. As to the possibility of the note having been discounted the Government cannot provide for all such possibilities.

MR. M. HEALY: Yes you can.

*MR. MADDEN: Would the hon. Member have a note which has been discounted rendered null?

MR. M. HEALY: Null as against the party who gives it, but not as against the landlord who endorses it.

*MR. MADDEN: It seems to me that it would be extremely difficult for the Legislature to go beyond the provisions of Section 30.

*(4.46.) SIR C. RUSSELL (Hackney, S.): No doubt the Legislature did intend by that section that the tenant-purchaser should start clear, but I must confess it seems doubtful whether a case such as I intend to cite, might not arise and which the section would not meet. There are two conditions of cancellation named in this clause. It is to be a liability affecting the holding and it is to include rent-arrears existing at the date of the agreement for sale. But suppose that before the agreement for sale is signed the landlord says to the tenant: "I will acquit you of all rent-arrears in consideration of your giving me a promissory note," and that he adds some nominal consideration. Would such a note be voided by the operation of this section? Or suppose, again, as suggested, that the note is endorsed to a third party. I understand that both the Chief Secretary to the Lord Lieutenant and the Attorney General for Ireland desire that tenants shall be free from such liability, and I do, therefore, urge them to reconsider the matter. Would it not be possible to make such a note void as against the maker of the note?

*MR. MADDEN: Surely the hon. Member does not suggest that we should make the note void?

*SIR C. RUSSELL: Yes, as against the maker, but not as against the landlord who has chosen to put it in circulation.

*MR. MADDEN: The hon. and learned Gentleman proposes to introduce an entirely new principle into the law with regard to promissory notes. However, as there is no difference between the objects aimed at by the Government and by hon. Members opposite, I will undertake to consider what can be done.

(4.50.) MR. M. J. KENNY (Tyrone, Mid): I think my hon. Friend the Member for Northampton may accept the assurance of the right hon. and learned Gentleman that he will consider the best means of securing the end we have in view. At present I may point out there is nothing to prevent the holder of such a promissory note obtaining judgment against the tenant-purchaser, so that practically the former will remain liable for arrears existing prior to the agreement for sale. The Act of 1888 certainly did not contemplate permitting such a state of things.

MR. LABOUCHERE: After the explanation of the Government I beg to ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. MORTON (Peterborough): Does that apply to the second part of the Amendment?

THE CHAIRMAN: Order, order!

(4.53.) MR. M. HEALY: The Government have devised an elaborate series of checks and counter-checks to prevent the State being at a loss, but I will venture to suggest in one line, a clause which will enable them to dispense with those checks. My suggestion is that an advance shall not be made under the Land Pur-

chase Acts to such an amount that the resulting purchase annuity will exceed the fair rent of the holding purchased. I do not know what view the Government take of this Amendment, but I imagine the right hon. Gentleman would have some difficulty in defending a proposal which would have the effect of permitting advances which left the holding subject to an unfair rent. Yet, that would necessarily be the logical consequence of refusing the Amendment which I now submit for the consideration of the Committee. I ask now, is it or is it not the intention of the Government that the purchase annuity may exceed the fair rent of the holding? Upon the answer to that depends the fate of my Amendment. Under existing Acts there have been cases in which the tenants, instead of getting advantage from the purchase transaction, have been saddled with a purchase annuity in excess of the rent they originally paid. The attention of the right hon. Gentleman has again and again been called to such cases on the Waterford estate. Lord Waterford induced certain tenants at rates which involved annuities in excess of the judicial rents originally paid. The consequence was that the tenants could not keep up their payments, they were sold up by the Land Commission, and the Marquess of Waterford being the purchaser has regained possession of the holdings. I may explain in regard to the Amendment that the term fair rent means fair rent as defined in the existing Land Act, and in estimating the amount it would be the duty of the Land Commission to exclude the value of the tenants' improvements. It ought to be the duty of the Land Commission not merely to see that the State is safeguarded, but that the tenant also is fairly treated, and this can only be secured by means of my Amendment.

Amendment proposed,

In page 7, line 40, at the end of the Clause to add the words, "An advance shall not be made under the Land Purchase Acts to such an amount that the resulting purchase annuity would exceed the fair rent of the holding purchased."—(*Mr. Maurice Healy.*)

Question proposed, "That those words be there added."

(5.0.) MR. A. J. BALFOUR: I think that the Amendment would not effect the object either of securing the repayment of the annuity or that the tenant should not buy what is really his own share in the dual ownership. These I take to be its two purposes. I would remind the Committee that the amount in question might in some cases be much too high, and in others too low; that would depend on the number of years' purchase. There are cases in which the tenants' interest is worth 20, 30, or even 40 years' purchase of the landlords' interest, and surely in such a case 25 years' purchase on the gross rent of the holding would leave an ample margin of security. Under the Bill, as at present drawn, beneficial leases can be sold, but the Amendment will exclude those. The hon. Member says it would be unfair to ask the tenant to pay more by way of purchase annuity than the fair rent of the holding. Will he go a step further and say that under no circumstances shall the tenant sell in the open market his share in the holding for a sum, the interest on which is more than the fair rent of it? If he did that he would entirely destroy free sale. I cannot agree to this Amendment, which would introduce in some cases too high a limit and in others too low a limit.

(5.4.) MR. SEXTON: I am at a loss to discover the relevancy of the right hon. Gentleman's argument. I think the Amendment is a most reasonable one. It simply suggests that the purchase annuity which the tenant will have to pay shall not be greater than the rent which he has to pay before this measure was passed for his relief. Where in the world is the parallel between that case and the case of the tenant selling his own interest? In land purchase in Ireland in the past we have always had a certain amount of relationship between the avowed intention of the Government and the means of giving effect to it. Now in this Bill the avowed object of the Government is to improve the agrarian situation in Ireland, and free the tenant from the pressure now inflicted on him. This Amendment would go far to securing that end; and I, therefore, greatly regret that the right hon. Gentleman will not accept it. By refusing it he shows a desire to allow the landlords of Ireland free play in extorting as much as they can from the tenants.

MR. M. HEALY: I, too, fail to see what the right hon. Gentleman's arguments have to do with this Amendment. Does he think it desirable to have a repetition of the cases which occurred on the Marquess of Waterford's estate? If he wants the annuities paid punctually, it would be wise to accept the Amendment. If the Land Commission is allowed to sanction advances, which, instead of bettering the condition of the tenant will make it worse, he will throw a heavy burden on it and on the State as well. I regret very much that the right hon. Gentleman will not accept an Amendment, the expediency of which he has not confuted by argument.

(5.10.) MR. MORTON: I should like to draw attention to a Return which shows how money advanced for land purchase is wasted. It is astonishing what the landlords in some cases get out of these transactions. In one case there was an advance of £2,360. The tenant defaulted, and the holding was sold for £175. In other cases the figures were respectively £1,042 and £155; £2,257 and £190. Holdings on the Marquess of Waterford's estate were absolutely sold for about one-twentieth part of the money advanced.

(5.12.) The Committee divided:—Ayes 106; Noes 151.—(Div. List, No. 212.)

(5.23.) MR. KNOX (Cavan, W.): I beg to move the Amendment standing in the name of the hon. Member for North Longford. In the case of certain purchasers, the landlords have made contracts reserving game. I see that the Government accept the Amendment; so I shall only move it.

Amendment proposed, in page 7, line 40, at the end of the Clause, to add the words—

"No advance shall be made under the Land Purchase Acts for the purchase of any holding where the landlord reserves any rights or easements concerning or affecting the land."—(*Mr. Knox.*)

Question proposed, "That those words be there added."

MR. A. J. BALFOUR: We cannot accept that Amendment.

MR. KNOX: I am afraid there has been a misunderstanding. I thought the Attorney General for Ireland accepted it.

*MR. MADDEN: No, Sir; I only said that of course "reserves" was the proper word in the Amendment, and not "recovers," as it appeared on the Notice Paper.

MR. KNOX: Very well. But I see no reason why it should not be accepted. If the landlord reserves the game it may be a source of constant dispute between him and the tenants. I know one case in my own constituency where such a dispute has been going on for over 20 years; and there are numerous cases where great difficulties have arisen on this ground. Landlords will not get game in any case, for it is a well-known fact all over the world that small holders do not like anybody else getting the game except themselves, and they generally do not let anybody else get it. Whatever reservations a landlord may put into his contract, there will be no game left for him to get. In the interests of peace, I venture to think that this Amendment should be accepted. There may be other reservations in some cases which may be still worse, especially on a grazing holding. I would remind the right hon. Gentleman of the great difficulties that have been felt in the Highlands, where game rights are reserved.

(5.26.) MR. A. J. BALFOUR: I think the hon. Gentleman will see there is nothing in the spirit or principle of the Bill contrary to the landlord reserving game rights. There are portions of Ireland where the fishing and sporting rights are of great value, and, in my opinion, an attempt to destroy these will do injury not to the wealthy or landlord classes, but to the community at large. I should be very sorry to do any such injury. I do not know whether landlords think it worth while to make such reservations, but in some cases there will be a general gain both to the landlords and tenants, and to the general community, to whom the fishing or shooting are a source of natural wealth. I do not see why we should stop these by putting artificial restrictions in the Bill.

MR. SHAW LEFEVRE: I do not know whether or not it has been the practice to have the permanent reservation of game or sporting rights under the Purchase Acts, but I think it most undesirable and inexpedient. If it has been the practice, then the

purchasing owner has been deprived of the enjoyment of the rights associated with the freehold land. I do not know whether it can be done in England by law, and I do not think it has ever obtained in point of practice. At any rate, I do not think it ought to be allowed, and if it has been permitted under the Ashbourne Acts it ought to be prevented under this Act.

(5.29.) MR. CHANCE (Kilkenny, S.): It has been the case that under the Ashbourne Acts rights of fishing and sporting have not infrequently been reserved by landlords. The whole object of the Bill is to get rid of dual ownership and of friction between landlord and tenant, and yet you go out of your way to preserve to the landlord a right which gives rise to friction and trouble not only in Ireland but in England. Nothing could be more suicidal. If you reserve game rights you will have a number of gamekeepers prancing round the place and trampling down the crops; and then the landlords sitting as Magistrates will be issuing summonses against these tenants and fining them 20s. or 40s. You will keep the district in a state of friction, which this Bill is intended to prevent. It was stated by the Chief Secretary that the natural wealth of the country is largely dependent upon game.

MR. A. J. BALFOUR: In parts.

MR. CHANCE: I fully admit that. But if this Bill be meant only to preserve game, let us understand that. I understood it was a Bill to improve the position of agricultural tenants. Now you have got enormous tracts of uncultivated heather land, and if you give the fee simple to tenants and get them to cultivate it, every purchase they so make interferes with the game and lessens the value of the shooting. I do not quite understand the reasons why the right hon. Gentleman objects to this Amendment, but I confess to my mind the real reason appears to me that the London *Times* has published a series of articles warning him to expect certain pains and penalties for himself and his party if he accepts any Amendments, however reasonable, that we may propose. He is not to consider whether an Amendment is reasonable or not, but his sole duty is to force this Bill through the House without Amendment. If that is his policy, he ought to say so frankly.

MR. A. J. BALFOUR: I should say so, if it were.

MR. CHANCE: Then why does he not say so?

MR. A. J. BALFOUR: Because it is not.

MR. CHANCE: He says it is not his policy. If it is not, then I want to know why he has objected to every Amendment moved from these Benches. I say that that is the policy which he has been carrying out in this House, and which has led to the delay and waste of time in carrying this Bill. Amendments have been moved not affecting the principle of this measure, but on matters of detail to facilitate its working; and to all these the right hon. Gentleman has offered an opposition based upon the principles of philosophic considerations or some such things. That is why we have been unable to get the Bill through the House; and in resisting Amendments of this character the right hon. Gentleman shows himself the first obstructor.

(5.35.) MR. A. E. GATHORNE-HARDY (Sussex, East Grinstead): I think the House will agree that as a general rule it would not be desirable that sporting or similar rights should be dissociated from the holding of the land, but there is a point in the interests of the tenants which hon. Members have not considered. The purchase is voluntary and not compulsory, and it may well happen that the landlord may have a difficulty in selling the whole of his land, and that only one small tenant is desirous to purchase. Supposing one particular holding is to be purchased, I think hon. Members opposite will agree that the reservation may rightly be of advantage, and that its prohibition would be defeating their own objects, as the restriction would practically deprive the tenant of the opportunity to purchase, for the landlord would necessarily not wish to interfere with what may be a sporting right of considerable value.

SIR G. CAMPBELL (Kirkcaldy, &c.): Fishing in rivers is not a necessary adjunct to the land, and might well be dissociated from it; but the rights of sporting in Ireland would not be worth very much under any circumstances. It therefore seems to me that this Amendment is desirable as a matter of public policy and of justice to the State which

advances this money. If the landlord isenabled to retain all kinds of servitude over the land undoubtedly that will immensely detract from the security. I am somewhat surprised that the Chief Secretary should resist this Amendment, because he, as a Scotchman, knows the great complications in Scotland which have arisen because of dual ownership of most objectionable kinds, in which the land belongs to one man and the minerals, or the shooting, or the grazing belong to others. These superior rights will be a continual cause of quarrel and disturbance, and will immensely detract from the security given to the State.

MR. A. J. BALFOUR: I do not think the hon. Member sees where his own arguments would lead him. Here are sporting rights which are valuable, especially when held on a large estate. Are you going to take these away from the landlord without paying him anything, or do you suggest that you should advance money for the purchase of sporting rights to enable the Irish tenant to become a sportsman? In the latter case you will advance money on a security which is destroyed by the cutting up of the sporting rights. If you pass an Amendment of this kind, is it not quite obvious that you compel the landlord to part without a fair consideration with that which is a valuable commodity, or else you advance money to the tenant for the purpose of purchasing these sporting rights? I do not think the House means either of these alternatives; and under these circumstances I think you ought to leave it to voluntary arrangement between the landlord and tenant whether or not these sporting rights should be preserved.

SIR G. CAMPBELL: I assert most positively that there is no estate in Ireland or elsewhere which consists of small holdings where the sporting rights, apart from the right of fishing in rivers, is worth anything at all.

MR. A. J. BALFOUR: The hon. Gentleman is quite in error.

(5.40. MR. M. J. KENNY: The Act of 1881 only recognised the legal position of the tenant's interest, and specifically reserved certain rights to the landlord; but you now propose to go further and to confer an estate in fee simple on the occupying tenant, at the same time reserving from him the sporting rights. I think it is the first time on record in this or any other country where you have such a state of things; and I should like to know how the Chief Secretary or the Attorney General for Ireland propose to logically defend their position. I hope that the discretion at present vested in the Land Commission will be taken away, and that in future they will not be able to sanction a sale where the landlord reserves his sporting or other rights.

COLONEL SAUNDERSON (Armagh, N.): I would like to give the Committee one instance mentioned to me by an Irish gentleman, to show how injuriously this Amendment would operate by destroying sporting rights. He gave me his own case. He has grazing farms which only bring him in £20 a year; and the sporting rights are worth £300 a year. Therefore this Amendment would preclude the possibility of a landlord selling to his tenants in such a case.

MR. M. HEALY: I should be sorry if this Amendment should be discussed purely as a question of sporting rights. There are a great many other rights annexed to a holding in Ireland which are very much more important. I mean the taking of sand, rights to seaweed, rights of turbary, rights to quarries, rights sometimes to mines and minerals, all of which are covered by this Amendment. No question has given rise to greater trouble between landlords and tenants or between tenants themselves, than the question of turbary. The late Colonel King Harman, formerly a Member of this House, got into trouble with his tenants on this question; and it was charged that when the Land Commission cut down their rents the landlords in Ireland proceeded to recoup themselves by putting on, in the shape of turf rents, what had been taken off the ordinary rents. Is a landlord, after selling his estate, to be continued in a position that he can still draw a new rent from his tenants? Take the question of quarries. I have known a case where the land purchase transaction failed, because the landlord persisted in the determination to reserve the quarry from the tenant. I think it is very undesirable, where a landlord has arranged to sell his property to his tenants and to part with dominion over it, that he should

be continued in a position to reserve his feudal rights. They were offensive enough when annexed to the land, but when vested in an individual who has no interest in the land, they will be still more offensive. Then the question of seaweed is a matter of very great importance to holdings on the coasts, for there the tenant must have seaweed if he is to be able to work his land. Really it would seem as if the Government were determined, though they profess that this Bill is brought forward in the interests of law and order, and all the rest of it, to keep alive all the matters in Ireland most certain to create conflict between landlord and tenant.

(5.46.) MR. A. J. BALFOUR: I have two remarks to make in reply to the hon. and learned Member. His own Party proposes an Amendment to reserve the whole of the mineral rights to the State, and surely that is a dual ownership of a much worse form. The second observation is that in the case of seaweed, it is the business of the Land Commission to see before they advance the money that the rights of the tenant in this respect are preserved.

MR. KNOX: I admit that as regards fishing in rivers there is not much difficulty, for a tenant has not a right to the middle of the stream; but in the case of game there would only be exceptional cases of difficulty, and in the vast majority I venture to think it would only be a source of constant dispute between landlord and tenant.

(5.48.) The Committee divided:—Ayes 103; Noes 160.—(Div. List, No. 213.)

(6.0.) MR. KNOX: I beg to move that—

"No advance exceeding the value of the interest of the landlord in any holding shall be made under the Land Purchase Acts for the purchase of the holding."

Several times in the course of the discussion it has occurred to the Chief Secretary to use the argument that nothing unfair can be done because the Land Commission may be relied upon to see that nothing unfair is done. Some hon. Members opposite have assumed that it is already the law that the Land Commission are bound to see that the price given by the tenant is a fair price for what the tenant is buying. As a matter of fact, at present, the Land Commission have no power or authority to assess the value of the interests in the holding. If 20 years' purchase is given, and if of that 20 years' purchase 10 belong to the tenant and 10 to the landlord, the Land Commission can advance 17, 19, or even 20 years' purchase, though they know they are advancing a great deal more than the landlord's interest is worth. In the Government Bill of last year the phrase used was "the landlord's interest in the holding." The draughtsman has left that phrase out of this Bill, and I suppose not merely for the sake of brevity. I am reminded that in one case, at the request of the hon. Member for West Belfast, it has been inserted in this year's Bill. But we want something more than a mere phrase. We want a distinct direction to the Land Commission that they must not advance more to the tenant than the fair value of that which the tenant is buying. The House is sanctioning a great scheme of land purchase, because it believes that by the scheme tenants will be able to buy the landlords' interest, and dual ownership will cease in Ireland. Surely the State should not advance money for what the tenant is not buying. What is the use of advancing public money in order to enable the tenant to buy what is his own already? The Chief Secretary will probably say we must not prevent free contract, but we know that 10 years ago the Legislature declared that the ordinary contract between landlord and tenant in Ireland was not free. I venture to think that my Amendment is a just one in the interest of the State and of the purchaser.

Amendment proposed,

At the end of the Clause to add the words "No advance exceeding the value of the interest of the landlord in any holding shall be made under the Land Purchase Acts for the purchase of the holding."—(*Mr. Knox.*)

Question proposed, "That those words be there inserted."

(6.5.) COLONEL SAUNDERSON: I have some interest in the views held by the hon. Member for two reasons. First of all, the hon. Member represents the county in which I live, and in which the hon. Gentleman does not live; and, secondly, the hon. Gentleman has taken a very remarkable course upon the question of land purchase. I remember the hon.

Gentleman's maiden speech. In that speech he condemned land purchase altogether, but at the very moment he was selling his own estate under the Ashbourne Act.

MR. KNOX: It is absolutely contrary to the fact. I did not condemn land purchase altogether. I carefully avoided doing so. I condemned a particular scheme.

COLONEL SAUNDERSON: It is a curious thing that the hon. Member is the only Member of Parliament who has up to the present sold his property to his tenants, and levanted to the other side of the water. The hon. Member said that according to his Amendment it will be the duty of the Commissioners to determine what is the real property that a landlord has in a holding, and I gathered from the hon. Member's speech that the property the landlord owns in a farm will depend upon what the tenant has paid for the tenant right. The hon. Member knows perfectly well that in many cases the tenant right exceeds considerably the interest of the landlord. I think the Committee will, therefore, see that the Amendment is absolutely absurd. I trust the Chief Secretary will not be cajoled by even the eloquence of the hon. Member into accepting the Amendment.

(6.9.) MR. SEXTON: It appears to me the hon. and gallant Gentleman has been more rash than usual. He has argued that because the value of the interest of the tenant may be worth more than the fee simple, the interest of the landlord will be worth nothing.

COLONEL SAUNDERSON: According to the hon. Member.

MR. SEXTON: I cannot allow that my hon. Friend's argument can justly be so construed. There are two values in a holding. The value of the tenant right may be greater than the value of the interest of the landlord, and yet the value of the interest of the landlord may also be substantial The hon. and gallant Gentleman has said the Amendment is absurd, but I was not aware that it was ever supposed to be absurd to apply to any contract the test of whether the property purchased was worth the price given. If the Chief Secretary were as anxious to protect the State, of whose interests he is for the moment the guardian, as he is to put money into the pockets of the landlords, he would not hesitate for one moment to accept this Amendment; because in addition to the one line of fortifications with which he has surrounded the State, a second line would be thereby created which could not be overpassed. If the Government were to direct the Commission to inquire: Is the thing sold by the landlord fairly worth the price given for it? it would be absolutely impossible that any default should arise.

(6.15.) MR. A. J. BALFOUR: I am not able to accept this Amendment, which would throw on the Land Commission an entirely new duty, and one which is not in consonance with the functions they at present discharge. They can estimate the value of a holding, but they have hitherto never had anything to do with estimating the value of the respective interests of landlord and tenant in any holding. That this interest varies greatly is shown by the fact that in some instances 20 and even 25 years' purchase of the rental is considered to fairly represent the landlord's interest, whereas in other cases it is said that 10 or 12 years is sufficient. This Amendment, in fact, is an attempt to introduce a new policy as to these transactions. The Committee have to choose between two policies—one which allows the landlord and tenant to settle between themselves what the selling price should be, and the other which is shadowed forth in the Amendment, and which would set up a tribunal to settle the price. I believe the first is the better policy. If, as the hon. Member suggests, the Land Commission are to control the price and see that the tenant does not pay too much, this control ought to be bi-lateral, and the Land Commission ought to see that the landlord does not get too little. It has been assumed that all the pressure is on the tenant to buy, but owing to the general state of the country, or the particular circumstances of an estate, the pressure in many cases might be on the landlord to sell. The best policy is to leave the landlord and tenant to settle the price between themselves.

(6.20.) MR. M. HEALY: I am not at all convinced by the arguments used by the right hon. Gentleman. It is admitted that there are two policies open

in connection with this legislation—one, the policy of protecting the Irish tenants from oppression and extortion, and the other, that of leaving them at the mercy of their landlords. The latter is the policy of the right hon. Gentleman, who has dealt with this Amendment as he has dealt with many others, as a mere matter of dialectics, as if Irish politics could be discussed without reference to what is going on in Ireland. He tells us this Amendment cannot be accepted because it is one-sided—that it purports to protect the tenant, whereas it ought also to protect the landlord; but I would remind the right hon. Gentleman that there is an Act known as the Coercion Act, which, in our view, affords quite sufficient protection to the landed interest. If he would drop the Coercion Act and let the Irish tenants combine as the landlords do, there would be some reason in his argument for the necessity of protecting both parties. As it is, it is notorious that the Irish tenants have bought at too high prices. We do not pretend that this Amendment would cover every conceivable case; but we say it would do an act of justice which ought to ensure its acceptance. All the Amendment says is that the Commission shall not advance more than the value of the landlord's interest, and I trust the Committee will see the desirability of passing it.

(6.24.) MR. KNOX: The hon. and gallant Member for Armagh (Colonel Saunderson), whom I have the honour to claim as a constituent, has thought fit to make a personal attack on me, an attack which is not particularly relevant to the Amendment; but as he has gone into the subject of his personal history and mine, I think he might have gone still further, and have reminded the House of the time when he, as yet unknown in the Orange Lodges, was Member for the constituency I have now the honour to represent, and in that capacity supported the principle of tenant right on the hustings. The hon. and gallant Gentleman has attacked me because I have sold my land under the Land Purchase Act. If I had at any time opposed land purchase, I admit that my conduct would have been inconsistent; but I have never condemned land purchase; on the contrary, I have constantly tried as I am trying now by this Amendment to facilitate land purchase on fair terms. I might even go so far as to retort on the hon. and gallant Member that, as I understand, he does not wish to sell his land, and yet is now supporting a measure of land purchase. If, therefore, it comes to consistency, I am at least as consistent as he. The hon. and gallant Member says it is very difficult to assess the tenant's interest. I admit that, and I further admit that the tenant often gives more for the interest in his holding than that interest is really worth. We know what the jealousies of two neighbouring farmers may lead to, and that owing to this, in many parts of Ireland, the tenant right is sold for a great deal more than it is worth; but although it is difficult to estimate in all cases the value of the tenant's interest, the Courts have, in many cases, made these estimates under the Land Act of 1881, the Commission has to estimate what that interest is worth; and there is an express provision that the amount of purchase money shall be considered. What we now ask is that the Commission shall do the same in respect of the landlord's interests.

(6.29.) The Committee divided:—Ayes 90; Noes 153.—(Div. List, No. 214.)

*(6.44.) MR. KEAY (Elgin and Nairn): I now beg to move to insert the following provision:—

"An advance shall not be made under the Land Purchase Acts, as amended by this Act, for the purchase—

(a.) Of any holding where a judicial rent has not been fixed, or has been fixed prior to the first day of January, one thousand eight hundred and eighty-six, unless the tenant has first applied to the Land Commission to determine the annual value, and the annual value has been so determined."

The object of this is to secure that purchasers of holdings may have their values fixed by judicial authority. I desire simply to make compulsory that which the Bill itself renders permissive. I consider that under the beautiful system of voluntary sale and purchase which is a cardinal feature of the right hon. Gentleman's Bill what will happen will be this—when the parties come together the tenant will say: "I have no judicial rent fixed, and you are asking too large a price. I will go to the Land Commission and get them to settle the annual value." "No," will say the landlord, "if you don't waive your claim to go to the Land Commission I will refuse to sell." I say we can prevent the landlord taking up that attitude

if we insert an Amendment of this kind. The wholesale inflation of prices which will take place if this Amendment is not inserted will be not only a grave danger to the British taxpayer, but a grave danger and ruination to the Irish tenant. The easiest way to elucidate the position is to look at the Return of defaulters which has been presented to the House by the right hon. Gentleman the Chief Secretary. The Return teaches us a lesson which, I think, we cannot afford to disregard. Whilst the average price paid for holdings bought under the Ashbourne Act has been a little over 17 years' purchase of the Poor Law valuation, the Return shows that in the case of estates to the value of £35,000, in regard to which the purchasers have made default, the price charged has been on an average no less than 25 years' purchase. Let me give some of the cases. Samuel O'Neill was made to buy at 30½ years' purchase, and the result was that, while as we all know the present judicial rents in Ireland are, as a rule, fixed at something like 20 per cent. below the Poor Law valuation—the Poor Law valuation of this man's holding was £77, and he became saddled with an annuity to the State of no less than £94. Then there is the case of James Aherne, who bought at 32 years' purchase, and had his Poor Law valuation of £32 a year changed into an instalment of £41. Bernard Dooling bought at 37⅓ years' purchase, and his Poor Law valuation of £36 was changed into an annuity of £48. James Fitzgerald bought at 37½ years' purchase. His Poor Law valuation was £79 a year, and his judicial rent, I think, would have come down to something like £65. He did not get a judicial rent fixed, but bought instead, and his Poor Law valuation of £79 became an instalment of no less than £120.

COLONEL WARING: Mr. Courtney, I rise to order. The hon. Member is quite misquoting the Return. The amount due was £120, but that is much more than one year's instalment.

*MR. KEAY: I think the hon. Gentleman will find when he looks at the Return that I am right. I do not know if I said 37½ years' purchase of the rent. If so, I was wrong. It is 37½ years' purchase of the Poor Law valuation.

COLONEL WARING: It is not even that.

Mr. Keay

*MR. KEAY: Then the hon. and gallant Gentleman will be able to correct me later. I say that Fitzgerald was made to buy at 37½ years' purchase of the Poor Law valuation of his estate—that valuation being £79—and became liable for an instalment of £120 a year. In another case the tenant bought at 38 years' purchase of his Poor Law valuation, which was £26 5s. He had saddled on him an instalment of no less than £40 a year. I may say that Fitzgerald struggled on paying the intolerable instalment of £120 a year, but succumbed in the third year. I need not say another word to show what a damning proof this is that the whole of the pecuniary benefit of British credit had gone into the landlords' pockets in these cases, and both the British taxpayer and the Irish tenant have been left most thoroughly out in the cold. I find that in the £35,000 worth of holdings of which I have been speaking. The pecuniary boon of British credit has been given to somebody amounting to no less than £78,000 during the 49 years. Who has got that boon? The whole of it has been capitalised in the pockets of the landlords in the shape of the enormous purchase price with which they have run away. I beg to move my Amendment.

Amendment proposed,

In page 7, line 40, at the end of the Clause to add the words, "An advance shall not be made under the Land Purchase Act, as amended by this Act, for the purchase—

(*a*) Of any holding where a judicial rent has not been fixed, or has been fixed, prior to the first day of January, one thousand eight hundred and eighty-six, unless the tenant has first applied to the Land Commission to determine the annual value, and the annual value has been so determined."—(*Mr. Keay.*)

Question proposed, "That those words be there added."

(6.59.) MR. A. J. BALFOUR: I think the hon. Member has been wise in concealing under a judicious anonymity the fact that he is the author of the Amendment. [The Amendment appeared on the Notice Paper without any name attached to it.] The hon. Gentleman has given us what he calls facts and figures from the Return on the Table. He has based his argument on what, no doubt, is the fact—that in certain cases in County Cork a very large number of years' purchase of the Poor Law

valuation was given to the farmers; and he has calmly argued that therefore far too high a price was given to the landlord. This is not the first time the hon. member has spoken of 38 years' Poor Law valuation of a farm being given by one unfortunate tenant purchaser. Surely the hon. Member ought to be aware of the elementary fact that in regard to particular holdings in the South of Ireland the Poor Law valuation is a most imperfect guide to the annual value. In the cases quoted, the 37 or 38 years' purchase was simply about 18 years' purchase of the annual value in one case and 20 years' purchase in another. What is the value of an argument based upon such data as the hon. Member has given? It is not worth while dragging the Committee through what the hon. Member has been pleased to describe as his facts and figures. Even if we were to accept the Amendment which has been put upon the Paper, we should obviously not be taking a single step towards carrying out the object that the hon. Gentleman himself has in view. Assuming the annual value of the holding to be fixed in some such manner as that suggested, there would be no more security that the tenant would not give too high a price for his holding. The hon. Member alluded to the provision by which we direct that, for certain purposes, the annual value shall be fixed by the Commissioners. That has no connection whatever with the bargain the tenant makes with the landlord, but solely determines the amount the tenant shall pay during the first five years. If a revaluation of the annual value of every holding were to be made, nothing would be done to carry out the object which the hon. Member has in view, and which he has thought fit to support by the very exaggerated statement and the very curious figures he has put before the Committee.

(7.4.) MR. SEXTON: The right hon. Gentleman has deliberately and obstinately ignored the annual value as a factor in determining the price of the holding. He has told us over and over again that the Irish tenant thinks only of how much will the annuity be less than the rent. The ultimate question for the tenant is, no doubt, how much less than the present rent will the annuity be? but there is hardly a peasant in Ireland who does not understand that the solution of that question depends on the solution of two others—namely, what is the annual value, and what is the number of years' purchase? I think my hon. Friend the Member for Elgin has not led the Committee astray nor wasted any time in directing our minds to the question of the annual value. I cannot share the indignation which the right hon. Gentleman sought to excite against my hon. Friend in reference to the suggestion that the Poor Law valuation should be considered as a factor in the matter. I know that the Poor Law valuation is lower in reference to farms in the South than to holdings in the North. But anyone who has paid attention to the subject will be aware that any transaction where a tenant purchased at 38½ years' purchase of the Poor Law valuation was one of such a character that it is not surprising that at the end of two or three years the tenant utterly broke down. I am not going to set up the Poor Law valuation as a standard of value; but at the same time I say it is an indicator of the value. I suppose the right hon. Gentleman does not countenance the idea that where the rent was fixed before 1886 the tenants should have a right to apply to the Land Commission. I think myself the idea is well worth consideration, because it can hardly be denied that rents fixed before 1886 did not represent the annual value. I want to ask the right hon. Gentleman the Chief Secretary, with reference to Clause 17, which provides that where a judicial rent has not been fixed a purchaser shall have a right of applying to the Land Commission to fix the annual value—in what way is the provision to be carried out? Is the same process to be gone through as in the case of a tenant who wants his fair rent fixed? Will there be a hearing before the Land Commission, with costly and elaborate proceedings? I would suggest that it should be a summary process that could be carried out without expense. The Inspector who examined into the question of the security might at the same time determine what should be the annual value.

(7.12.) MR. A. J. BALFOUR: The views of the hon. Gentleman on that point do not seem to be at all in discord with those of the Government. Of course we are not on Clause 17 now, but I may indicate to him that our idea is

that as the determination of the annual value will affect only one person, it might be done by a very rough and ready process, and it is by such a process we intend to proceed. If this is not provided for in the clause it can easily be amended.

*MR. KEAY: I hope by this time the right hon. Gentleman has been able to verify the figures he said I had quoted in an extraordinary manner. The extraordinary thing about them seems to be their correctness, as no further reference has been made to them by the right hon. Gentleman or the hon. and gallant Gentleman opposite (Colonel Waring). I took the Ashbourne purchases and pointed out that the whole of those purchases taken together amounted to about 17 years' purchase of the Poor Law valuation. I showed that the defaulting tenants had been made to pay a purchase price of from 25 years to 38 years' purchase of the valuation.

(7.15.) MR. CHANCE: There is one argument that strikes me as having some force in it. Tenants whose rents have been fixed at a high standard will be compelled to repay the money advanced to them at a very rapid rate, whereas those who are able to pay 20 years' purchase get the benefit of the money for a far longer period. It would be highly desirable to my mind to have a uniform standard. I admit that as far as equality of treatment is concerned it is all the same whether you make the nominal annual value high or low, as long as the standard is uniform.

MR. LABOUCHERE: The object of this Amendment is to protect the tenants. The right hon. Gentleman's answer is: "It is unnecessary to protect the tenants, because we do not suffer if they are robbed." I am putting it in other words, but that is the meaning. What a remarkable Bill this is when the right hon. Gentleman has to defend one of its clauses by saying, "We have no objection to what the parties do, because any loss will fall on someone else."

MR. A. J. BALFOUR: Let the hon. Gentleman make his own speech and not put into my mouth words which have not the slightest resemblance to or connection with the argument I used.

MR. LABOUCHERE: Well, that is how I understood his argument. No doubt it was my stupidity.

Mr. A. J. Balfour

(7.20.) The Committee divided:—Ayes 67; Noes 107.—(Div. List, No. 215.)

*(7.31.) MR. KEAY: I now propose to move the insertion of the following Amendment:—

"No advance shall be made under the Land Purchase Acts for the purchase of land by, or from a person, or the assignees, or successors in title of a person from whom the said land has previously been purchased under the said Acts."

I substitute this for the Amendment I have placed on the Paper, because, whilst it will carry out my object, I am assured it will better carry out that of Irish Members around me. This Bill is intended to be a perpetual Land Purchase Bill. All its main provisions contemplate its going on to an indefinite extent in point of time and amount. As it stands, it will be competent, apparently, for any successors of the present landlords, and for their successors again and again to use British credit for the purpose of selling and re-selling the same land. The Government have always told us that their principal reason for bringing forward this Bill is a political one. They have told us practically that the existing Irish landlords are such a bad lot that it is well worth while paying through the nose for the purpose of inducing them to give up the soil. That political object certainly will be served when the present generation of landlords have disappeared; and yet this Bill will allow the purchase operations to go on to an indefinite extent between the new tenant purchasers, one after another. The Government must admit that their political considerations cease to operate when the present landlords are expropriated. My Amendment simply provides that when a purchase has taken place through the operation of British credit the process cannot be repeated by any of the representatives or assignees of the same party.

Amendment proposed,

In page 7, line 40, at end of Clause, to add, "No advance shall be made under the Land Purchase Acts for the purchase of land by or from a person, or the assignees or successors in title of a person from whom the said land has previously been purchased under the said Acts."—(*Mr. Keay.*)

Question proposed, "That those words be there added."

(7.37.) MR. CHANCE: I almost hope the Government will accept these words. They merely provide that a person once paid out of the Land Purchase Fund for a holding shall not be able to repeat the operation in regard to the same holding. Suppose a landlord sells to a tenant and gets possession again, he will not, under this Amendment, be able to put another tenant in and sell to him under the Act, so as to get paid twice over for the same land. I think the Amendment carries out the object of every Member of the Committee, and also of the Government.

MR. A. J. BALFOUR: The hon. Gentleman who has just sat down as well as the mover of the Amendment, will see that the result of the Amendment would be to ear-mark certain portions of Ireland as portions over which henceforth the operations of this Act shall not run. ["No!"] Let us suppose that land is sold under one of these Acts, that the annuity has not been paid, or for some reason or other the land has reverted to the landlord. The landlord has repaid the whole of the money, and desires to re-sell the land to some other tenant. Suppose that the holding is amalgamated with some other holding, and the two become one farm—the whole farm cannot be sold. I fail to see what object would be gained by adopting the present proposition.

MR. CHANCE: I would be perfectly willing to add "Until the whole or any part of the advance has been repaid."

MR. A. J. BALFOUR: I do not know whether it would then read properly. Perhaps the best plan would be to bring the matter up on Report.

MR. CHANCE: Report is a distant stage.

(7.43.) MR. SEXTON: While the right hon. Gentleman is drawing up words, perhaps I may be allowed to say it is something new to me to hear that money which is advanced for the purpose of getting rid of dual ownership may be again applied within the term of 49 years; it opens up an altogether new vista to me, and I doubt whether it can properly be brought within the scope of the scheme. The tenant purchaser fails to pay his instalments and is put out of the holding, and the holding is sold for the debt to the State. The landlord buys in the holding, satisfies the State some way or other with regard to the balance of the annuity, and then it appears you contemplate allowing the landlord to sell the holding again. There is another thing to be mentioned. You cannot issue more Stock in any county than 25 times the share of the county in the Guarantee Fund. It is perfectly evident that the people who will want to avail themselves of this Purchase Act will be more numerous than the number who can possibly come within the operation of the Act, and if you allow the same farm to be sold twice in 49 years it is plain the second sale will affect the issue of Stock. The effect will be to shut out some farmer, because two sales of one farm have been allowed.

(7.45.) COLONEL WARING: I think the Committee would be ill-advised to allow an Amendment of this kind to pass before it has been seen in print.

MR. CHANCE: The Amendment was written by me an hour and a half ago. I sent a copy of it to the Attorney General for Ireland. I surely am not to be damnified because the right hon. and learned Gentleman has unfortunately been compelled to leave the House.

MR. A. J. BALFOUR: The Amendment could not have been accepted in the form in which the hon. Gentleman sent it to the Attorney General. It has since been modified, and I think in the new form my hon. and gallant Friend (Colonel Waring) will see there is no objection to it. In reply to the remarks of the hon. Member for West Belfast, I may say there is nothing in the Bill which allows a man to sell land to a person who is not a tenant. The second tenant may be a most deserving person, and I do not see why he should be prevented from buying. The Amendment, as modified, would read—

"An advance shall not be made under the Land Purchase Act for the purchase of any holding for the purchase of which, or any part of which, land stock has been issued under this Act, or an advance already made under the Land Purchase Act until the entire purchase annuity has been repaid."

That would prevent land being resold and being the subject of a new annuity before the old annuity has been disposed of. I think that is fair, and I recommend the Committee to adopt it.

*MR. KEAY: I beg to withdraw my Amendment.

Amendment, by leave, withdrawn.

Amendment proposed,

In page 7, line 40, at end of the Clause, to add "An advance shall not be made under the Land Purchase Act for the purchase of any holding for the purchase of which, or any part of which, land stock has been issued under this Act, or an advance already made under the Land Purchase Act until the entire purchase annuity has been repaid."—(*Mr. Keay.*)

Question proposed, "That those words be there inserted."

(7.52.) MR. SEXTON: I appeal to the Chancellor of the Exchequer on a financial point. When the whole of the annuity has been repaid the Chancellor of the Exchequer will be in a position to purchase and to cancel the Stock on which the original purchase has been transacted. We are dealing with the second purchase of the same holding. A county is entitled to receive a certain amount of Stock. Will not a county's share of Stock be affected by a second purchase?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Arrangements must be made by which Stock that has been redeemed shall not be re-lent to the county.

MR. SEXTON: I think it is necessary that such an important statement should be embodied in the Bill.

*MR. GOSCHEN: I think there are provisions in the Bill by which the object is attained, but I will look carefully into the matter.

Question put, and agreed to.

*(7.55.) MR. RATHBONE: I wish to move to add to the clause the words—

"An advance under the said Acts for the purchase of any holding shall not exceed 20 years' purchase of the annual value of the holding as defined in this Act."

This was a valuable provision in the Bill of last year. If a tenancy is sold at more than 20 years' purchase, that of itself is evidence that it is not necessary for this country to enter into any liability on account of it. I think the Amendment would impose a proper check, and I hope the Government will assent to it.

Amendment proposed, in page 7, to add after the words last added—

"An advance under the said Acts for the purchase of any holding shall not exceed 20 years' purchase of the annual value of the holding as defined in this Act.—(*Mr. Rathbone.*)

Question proposed, "That those words be there added."

MR. A. J. BALFOUR: As the hon. Gentleman knows, the Bill of last year contained words of a precisely similar import, but they have been omitted from this Bill, and I think on the whole wisely. They met last year with a great deal of hostile criticism. They were supposed by the friends of the tenants to indicate that everybody ought to give 20 years' purchase, and by the friends of the landlord to imply that nobody should give less. There is something to be said for the proposal, but on the whole I am inclined to think it would cause a great deal more friction and dissatisfaction than it would prove of advantage to those whom it is intended to serve.

Question put, and negatived.

Question "That Clause 6, as amended, stand part of the Bill," put, and agreed to.

Clause 7.

Amendment proposed, in page 8, line 20, after the words "out of," to insert the words "the Land Purchase Account, and if need be."—(*Mr. A. J. Balfour.*)

Question put, "That those words be there inserted."

(8.0.) The Committee divided:—Ayes 80; Noes 42.—(Div. List, No. 216.)

Amendment proposed, in page 8, line 32, before "section," to insert "the payment directed by."—(*Mr. A. J. Balfour.*)

Question proposed, "That those words be there inserted."

(8.10.) MR. SEXTON: We are not disposed to allow any Amendments to be moved in silence; and as we are scarcely aware what point has been reached, we must insist that every Amendment is made the subject of explanation. Perhaps some explanation will be offered upon this point.

*MR. MADDEN: It is simply a drafting Amendment to make the intention clear. The Act of 1888 in the 1st section directs that certain payments are to be made in the financial year, and this carries out our intention, that payment directed by Section 1 of the Probate Duties (Scotland and Ireland) Act, 1888, shall be made as if the Guarantee Fund under this Act were substituted for the Local Taxation (Ire-

land) Account. The following Amendment is a consequential one.

Question put, and agreed to.

Consequential Amendment, in line 33, to leave out "construed," and insert "made."—(*Mr. A. J. Balfour.*)

Agreed to.

(8.12.) MR. SEXTON: At an earlier stage of our proceedings we had occasion to refer to Sub-section 8, and I still think that the provision made for adjustment in the sub-section is far too wide and general—

"The Treasury may cause such adjustments to be made between the Sinking Fund, inclusive of the purchasers' insurance money, the Land Purchase Account, the Guarantee Fund, and the Reserve Fund, and such payments to be made from one account or fund, or one portion of an account or fund, to another, and sums to be placed to such credit, and such securities to be sold or bought as may appear to them necessary for the purpose of carrying into effect this Act or the regulations."

Now, in a hard matter of figures and facts there ought to be no need of "appearance." I would sustitute for this language the words "as may be necessary." The Treasury should be laid under the obligation to do what is necessary, and we do not want the introduction of this appearance of necessity. Then, again, this remuneration clause does not exhaust the list of accounts and funds; it is defective in two particulars—it does not include the Consolidated Fund. Various funds are named, but the big brother of the group, the Consolidated Fund, is left out, though as necessary a part of the adjustment as any other. This fund will have to advance money, and will have to be recouped from the other funds, and, therefore, it is necessary the Consolidated Fund should be inserted. Another account in the long series is omitted—the Guarantee Deposit. Of course, it is understood that sometimes the Land Purchase Account will have to be replenished from the Guarantee Deposit, and, therefore, adjustment will be necessary. In the first place, I move the insertion of the Consolidated Fund before the Sinking Fund.

Amendment proposed, in page 8, line 40, after the word "between," to insert the words "the Consolidated Fund."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

*(8.14.) MR. GOSCHEN: We cannot accept these words, nor are they necessary. Everything in regard to this fund is precisely laid down, and the rules are absolute. No new machinery is provided, and the Treasury have to make no adjustment so far as the Consolidated Fund is concerned. I do not quite apprehend the hon. Member's point in regard to the Guarantee Deposit. My right hon. and learned Friend will explain that. As regards the third point raised by the hon. Member, I think we must adhere to the words "as may appear to them" for the purpose of carrying the Act into effect, otherwise we put upon them the burden of proof that it was absolutely indispensable. The Treasury must have power to make a certain number of adjustments, and a certain amount of latitude must be left to the Treasury in the matter.

MR. SEXTON: The right hon. Gentleman has failed to appreciate the force of my observations. You will have to make adjustments; why object to say so? The Consolidated Fund will advance money to the Land Purchase Account, and possibly for the Guarantee Fund, and this money will have to be paid back. What is the use of raising here a sort of financial fetish, and speaking of the impossibility of making any adjustment when we know that the adjustment will have to be made? What is the sacredness of the Consolidated Fund? I think it is an amendment really in the interest of the Treasury and the Consolidated Fund. The Consolidated Fund is called upon to make advances, and the only meaning of the sub-section is that such money must be paid back. I never before heard of a Chancellor of the Exchequer's objection to such a precaution.

*MR. GOSCHEN: A temporary advance may be made; but if ever such an advance is made, it must be paid back out of the Guarantee Fund; there is no further adjustment.

MR. SEXTON: That is adjustment.

*MR. GOSCHEN: But the expression "adjustment" would possibly cover more than is intended by the Act. As a matter of fact, the Consolidated Fund is, as the hon. Member says, a sort of fetish; it has a character almost sacred in our

financial system. We cannot introduce any elasticity in dealing with the Consolidated Fund. Everyone who has had any experience of Treasury finance will agree with me that rules in regard to the fund must be absolute.

(8.18.) MR. SEXTON: I do not think the Amendment would import any elasticity that is not provided in the Bill. The sub-section provides that there shall be such adjustment as may be, or as may appear to be, necessary for the several funds for the purpose of carrying the Act into effect. The Act makes it quite clear what may or may not be done. The Consolidated Fund may advance sums to other funds, and the other funds must pay the amount back. It is idle to argue that the Consolidated Fund would be damnified. What difference could be made? The sub-section has an enumeration of funds, and the enumeration is defective unless the Consolidated Fund is included, and the insertion will not permit any adjustment other than that contemplated in the Bill.

MR. CHANCE: Earlier in the debate the Chancellor of the Exchequer promised to consider a provision enabling tenants to redeem their annuities. Does he intend to insert a provision to that effect? If it was inserted, would it render any Amendment necessary for the adjustment of the Consolidated Fund?

*MR. GOSCHEN: My answer to the second question is in the negative. We have nothing to do with the Consolidated Fund; we stand by what we have said before. The question does not arise on this point; the Consolidated Fund stands quite outside.

MR. CHANCE: Does the right hon. Gentleman intend to convey that he will introduce a separate clause on the subject of giving purchasers power of redemption of their annuities?

*MR. GOSCHEN: I can give no final pledge. I regard the suggestion with favour, but I can give no absolute pledge. The matter shall have full attention on the Report stage.

(8.25.) The Committee divided:—Ayes 38; Noes 76.—(Div. List, No. 217.)

(8.35.) MR. SEXTON: I beg to move to omit the words "inclusive of" in line 40. It is evident the insurance money will always have to be earmarked and available for the purpose of relief of distress apart from the purposes of the Sinking Fund. I observe that the insurance money when referred to in the sub-section shall be referred to in language less equivocal and less open to the fear that it has been merged in the Sinking Fund; indeed, I think it would be well to speak of it as an Insurance Account.

Amendment proposed, in page 8, line 40, to leave out the words "inclusive of."—(*Mr. Sexton.*)

*MR. MADDEN: It is true that the insurance money goes to the Sinking Fund, to be there invested. If everything goes well it will not be called on by the tenant, but he will have the benefit of it in the later years of the term. If there ever is occasion, a necessary adjustment between the two funds will be made.

MR. SEXTON: In the first instance, the insurance money is to be paid into the Sinking Fund, there to accumulate in case of any special call upon it; if any tenant is unable, through no fault of his own, to pay his half-yearly instalment, it may be paid for him. In such case the insurance money will have to be taken out of the Sinking Fund. What I want is that there shall be an account which shall clearly show the insurance money paid by each person, how much has accumulated, and what has been drawn out and applied to the purpose of any special need.

*MR. MADDEN: I cannot undertake, dealing with a Treasury clause, to agree to the insertion of words, but I will consult with my right hon. Friend the Chancellor of the Exchequer, and if it is thought desirable to insert words, I will bring them up on Report.

Amendment, by leave, withdrawn. (8.40.)

(9.20.) MR. SEXTON: I beg to move, as a further Amendment to this clause, the insertion of the words "a guarantee deposit account" after the words "guarantee fund," in page 8, line 41. My object in moving this Amendment is that as soon as the landlord's money comes into the guarantee deposit account you may forthwith take that money without going to any other source.

*MR. MADDEN: I see no objection to the insertion of words to carry out the object of the hon. Member. There is no general guarantee deposit account, but I see no objection to specifying the guarantee deposit.

MR. M. HEALY: I should like to ask the Attorney General for Ireland to state exactly the order in which the Guarantee Fund is to be called upon. At present there is no distinct provision as to the point at which the guarantee deposit becomes liable. Is it not desirable that there should be some distinct arrangement as to the point at which the guarantee deposit shall become liable? My hon. Friend has suggested a point, *i.e.*, that at which the rate becomes leviable. How can it be said that the guarantee deposit should be called upon before you call for a levy on the county? Before you do either, the cash portion of the guarantee must be exhausted.

MR. SEXTON: I do not propose to press the Amendment.

Amendment, by leave, withdrawn.

MR. SEXTON: I submit that the last three words of the paragraph are unnecessary. I take it that the object of the sub-section is to enable the Treasury from time to time by adjustment of the several accounts conveniently to carry out the regulations referred to. The regulations themselves will only be subsidiary to the Act, and if these words are retained it appears to me that it will be in the power of the Treasury to make other regulations which may define new purposes or extend the purposes already defined. I think it will be quite sufficient, as power is given, to make such adjustment as will enable the Treasury to carry out the purposes of the Act without giving additional or unlimited powers.

Amendment proposed, in page 9, line 4, to leave out the words "or the regulations."—(*Mr. Sexton.*)

*(9.31.) MR. GOSCHEN: I think the hon. Member, if he examines the section dealing with the rules, will see that they are to be submitted to Parliament, and therefore no change can be made in the purposes of the Bill without the knowledge of the House; I do not think we can leave out the words "or regulations," for they will enable the Treasury to make adjustments between different counties, which it will be very necessary to do sometimes.

MR. CHANCE: I am not satisfied as to what these regulations are. I think the words would be far less objectionable if something were added showing their connection to Section 9, which deals with matters of a purely financial nature necessary for controlling the Land Purchase Account.

*MR. MADDEN: I do not think there could be any objection to that, except that it would be necessary to go a little beyond that and insert "or regulations made under sections of this Act, empowering the Treasury to make the same."

MR. SEXTON: That is just the point. You speak of regulations in this sub-section, you speak of rules in Section 9, and you allude to regulations elsewhere. That makes it very embarrassing.

*MR. GOSCHEN: It would be most unwise to limit the sub-section to Section 9. But we will undertake that the words shall not be so vague, and shall have reference to the special sections in the Act which refer to finance.

Amendment, by leave, withdrawn.

COLONEL WARING: I wish to insert words in this clause which will make more clear, what is, no doubt, intended by the Act. I do not think the Amendment will be objected to.

Amendment proposed, in page 9, line 12, after "shall," to insert "until otherwise inserted in pursuance of the Land Purchase Acts."—(*Colonel Waring.*)

Question proposed, "That those words be there inserted."

*MR. GOSCHEN: I accept the Amendment.

(9.38.) MR. CHANCE: Will this authorise the investment of the guarantee deposit in matters authorised under the Acts of 1885 and 1888? The reason I ask is this: Under those Acts the guarantee deposit may be invested in mortgages on land, and this involves the lapse of a considerable period before the money can be released. I have an Amendment which I intend to move—if I am not ruled out of Order—that no deposit shall be invested in land mortgages. I am sure the Chancellor of the Exchequer would not allow such a monstrous thing as that to be done. Let me point out that if it is invested in land it may be necessary to go to the

Court of Chancery before it can be released, and the delay may extend over four or five years, while another set of sales may be involved before a penny can be got out of the guarantee deposit. Suppose, for instance, it is invested on the mortgage of a landed estate in a county where the funds authorised to be advanced under this Act have been exhausted, and where, consequently, no advance could be made for the purchase of any holding. You will in that case be unable to release a penny of the money, unless you can get some Insurance Company or private land speculator to advance the necessary amount. I cannot imagine anything more calculated to prevent the working of the Act. I, therefore, hope the Chancellor of the Exchequer will indicate the intention of the Government not to allow the investment of the deposit in mortgages on either English or Irish land.

*(9.42.) MR. MADDEN: So recently as in the Act of 1887, under the 10th clause it was provided that the guarantee deposit might, on the application of the person by whom the deposit was made, be invested by the Land Commission in any security in which Trustees are by law allowed to invest. The hon. Member is correct in stating that mortgages on land are thus included. But let me point out that this is a matter which rests in the discretion of the Land Commission, and that they would not be at all likely to invest in such a security, because it would not be immediately available. I do not think the question arises on the Amendment now before the Committee, which amounts to this, that however the money is invested in the interest shall go to the depositor. That is obviously just. It was the intention of the Act of 1887, and it is the intention of this Act.

(9.44.) MR. CHANCE: There is not a single syllable to show that the question of the nature of the investment is to be left within the absolute discretion of the Land Purchase Commission. I think, however, there will be no objection to the Amendment if words are added, "as amended by this Act." Otherwise, I may be precluded from proposing the Amendment to which I referred just now.

Amendment proposed, to proposed Amendment, to insert at the end the words, "as amended by this Act."

Mr. Chance

Question, "That those words be there inserted in the proposed Amendment," put, and agreed to.

Amendment, as amended, proposed,

(9.46.) MR. M. HEALY: I think this Amendment raises definitely the question whether under the enlarged scheme of land purchase the Land Commissioners should be given full discretion as to the class of investment.

THE CHAIRMAN: Order, order! That does not arise on this Amendment. It is dealt with in an independent section.

Amendment agreed to.

COLONEL WARING: I have now to move another Amendment, as follows:—

In page 9, after line 13, to add—"(11.) In the course of any sale proceedings if it shall appear to the Land Commission that any crown rent, quit rent, tithe rent-charge, land improvement charge, or other Government charge, including probate duty or any instalment or instalments of succession duty, are payable or redeemable out of the purchase money, and may be paid or redeemed without injury to, and without waiting to ascertain the priority of any other charge, the Land Commission may, on the application of the landlord, order the payment or redemption of said charge, by transferring to the proper party or department stock to the nominal amount payable in respect thereof, or pending payment may transfer to the separate account of said charge stock to the nominal amount thereof, and, until such payment or redemption, the interest on said stock shall be paid to the department entitled to the annual payment in respect of said charge."

THE CHAIRMAN: Order, order! This Amendment the hon. and gallant member should bring in as a separate clause.

MR. SEXTON: I have now to move an addition to the clause, to the effect that if any Consolidated Annuities bearing interest at a less rate than £2 15s. per cent. are given in exchange for any guaranteed Land Stock, the amount of the difference between such interest and £2 15s. per cent. shall form part of the county percentage, and shall be paid to it accordingly.

Amendment proposed,

In page 9, line 13, at the end of the Clause, to add the words, "If any consolidated annuities bearing interest at a less rate than two pounds fifteen shillings per cent. be given in exchange for any guaranteed land stock under sub-section (2) of this section, the amount of the difference between such interest, and interest at the rate of two pounds fifteen shillings per cent. shall form part of the county per-

centage, and shall be paid and applied accordingly."—(*Mr. Sexton.*)

Question proposed, "That those words be there added."

*(9.52.) MR. GOSCHEN: We are unable to accept this Amendment. The National Debt Commissioners must take their chance as regards profit and loss on this transaction, and they ought not to be thus fettered. The amount involved would be very small indeed.

MR. SEXTON: This difference of a $\frac{1}{4}$ per cent. is not beneath notice, for under the Bill there will be very large transactions. I think it rather shabby on the part of a rich country like England to retain this $\frac{1}{4}$ per cent., and I shall take the sense of the Committee on the matter.

MR. KNOX: I understand the reason of the Chancellor of the Exchequer for rejecting the Amendment to be his desire to make the Sinking Fund yield as much as previous Chancellors of the Exchequer had calculated; in fact, it seems this Stock must be invested in order to make both ends meet. But surely the right hon. Gentleman should bear the loss due to his predecessor's miscalculations, and not throw it on Ireland.

*MR. GOSCHEN: I do not think it will be so easy to invest at $2\frac{3}{4}$ per cent., as the hon. Member suggests. Of course the operation will be limited to Irish Land Stock.

(9.56.) MR. CHANCE: Let me point out that the Land Commissioners, if the Stock is not at par, may go into the market, and buy it up and extinguish it. If they do that at a profit why should the profit not go into the fund?

*MR. GOSCHEN: But if it cannot be bought to give $2\frac{3}{4}$ per cent. the Sinking Fund will suffer. On some transactions there will be a gain, and on others a loss, but the balance either way will be very small at the end of 49 years.

MR. CHANCE: Of course, but why should not the ultimate profit go into the Land Purchase Account? Why should the National Debt Commissioners have it? Surely it would be only fair that the Purchase Account should receive it.

MR. SEXTON: The policy of land purchase will be greatly embarrassed if any considerable portion of the Land Stock is transferred to other Stock, and the tenants of Ireland see that while they are charged 4 per cent., only $2\frac{1}{2}$ goes to the landlords, instead of $2\frac{3}{4}$. They will want the Purchase Fund to receive the $\frac{1}{4}$ per cent.

(10.0.) The Committee divided:—Ayes 25; Noes 128.—(Div. List, No. 218.)

(10.13.) MR. CHANCE: I beg to move to add at the end of the clause the following words:—

"The purchase of a sum of Guaranteed Land Stock in the names of the National Debt Commissioners by a person indebted to the Land Commissioners shall be a good discharge of the debt to the extent of the nominal value of the Stock so charged.

I should be willing to add, "subject to the rules to be made under this Act." I understand that the Chancellor of the Exchequer looks favourably on the proposal.

Amendment proposed,

In page 9, to add at the end of the Clause "The purchase of a sum of Guaranteed Land Stock in the names of the National Debt Commissioners by a person indebted to the Land Commissioners shall be a good discharge of the debt to the extent of the nominal value of the Stock so charged."—(*Mr. Chance.*)

Question proposed, "That those words be there added."

*MR. GOSCHEN: I have already informed the Committee that in our opinion such a proposal would be just in principle, but it may be a matter of some delicacy so far as the regulations are concerned. I will, however, undertake that the Government will bring up a clause to carry out the policy which underlies the Amendment.

MR. CHANCE: I ask leave to withdraw the Amendment, and I am perfectly satisfied with the pledge the right hon. Gentleman has given.

Amendment, by leave, withdrawn.

(10.16.) MR. SEXTON: I wish to move some words in the nature of a proviso at the end of the clause. I should have liked to move them in connection with Sub-section 5, but the way in which that sub-section was dealt with made it difficult to do so. The sub-section provides that the cash portion of the Guarantee Fund may be used for temporary advances and other purposes

connected with the administration of the Act. That opens up a very serious prospect, unless the words be qualified. It is extremely important that the money which is to be paid over for local purposes should be paid at the appointed time, for schools and other local services, and the Government previously gave a promise that it should not be taken for the purposes of the Act unless a charge had actually arisen. My Amendment provides that the cash portion of the Guarantee Fund shall not be used for temporary advances to the Land Purchase Account, or for other current purposes connected with the administration of the Act, except where default has happened, and a charge has actually arisen.

Amendment proposed,

In page 9, to add, at end of the Clause, "The cash portion of the Guarantee Fund shall not be used for temporary advances to the Land Purchase Account, or for other current purposes connected with the administration of this Act in such manner as to retard the application in ordinary course of the sums included in such portions for local purposes for which such sums are intended." —(*Mr. Sexton.*)

Question proposed, "That those words be there added."

*(10.19.) MR. GOSCHEN: I think hon. Gentlemen will see that amid the shower of Amendments which occupy the attention of the Government it is very difficult at the same time to clear up all the points which we have left behind us, and this is one of these points to which the hon. Gentleman has called attention. We will undertake to reconsider the drafting of Sub-section 5, and to make it in accordance with the policy we have accepted on the subject of the non-derangement of local finance.

MR. KNOX: Will the right hon. Gentleman explain what is the purpose of Sub-section 5. The Chief Secretary has explained a temporary order as distinguished from a permanent order under which the various funds are to be applied. I have always understood that the first fund to come upon was the Consolidated Fund. That fund is usually large enough to bear whatever advances are necessary. Why should it be necessary to take sums out of the Guarantee and Reserve Funds for purposes for which the Consolidated Fund is in the first place applicable?

MR. SEXTON: I must confess that there seems some point in the observations just made by my hon. and learned Friend. If the sub-section operates at all it operates in derogation of the pledge already given. But the Government have given so many pledges that it would be well if we had an official record of them, so that we might see they were carried out.

*MR. GOSCHEN: I think the hon. Gentleman's memory is sufficiently accurate.

Amendment, by leave, withdrawn.

(10.23.) MR. KNOX: I think I owe an apology to the Committee for not having put this Amendment on the Paper; but I had no idea we should get so far as this clause to-night. I have to move to insert at the end of line 13—

"Regulations as to investment in and sale of Government Stock made under the Savings Bank Act, 1880, may include provisions for the investment in and sale of Guaranteed Stock at the request of any depositor in the Post Office Savings Bank, and such regulations may provide for the——

THE CHAIRMAN: Order! That is not relevant to this clause. The hon. Gentleman wishes to make this Land Stock available for Post Office Savings Bank purposes. That must be done by a separate clause.

Motion made, and Question proposed, "That Clause 7, as amended, stand part of the Bill."

(10.25.) MR. SEXTON: It would have been well if this clause, dealing with matters of such vast importance to such large numbers of people, had been drawn in such a form that its intent and force were apparent to the ordinary Member of Parliament. I trust the Law Officers of the Crown will not think us obtrusive if we appeal to them to throw some light on the somewhat unique method of expression, which is observed in the drafting of the clause. The first sub-section provides that—

"The Guaranteed Land Stock shall from time to time, as required for the purposes of this Act, be created by the Treasury, and issued by the Land Commission in the prescribed manner, and the National Debt Act, 1870, shall, but without creating any further charge on the Consolidated Fund, apply to the stock as if it were described in the 1st Schedule of that Act."

If the provision simply were that the

Act of 1870 shall apply to the Stock as described in the 1st Schedule of that Act, one could understand it; but the qualification introduced here, that the application of the Act shall not create any further charge on the Consolidated Fund in reference to the Stock, puzzles the ordinary Parliamentary critic. In the 3rd sub-section provision is made for the consolidation of the Stock and the commencement of the dividends on Stock issued for an advance and for the payment of interest.

"Such interest shall be paid out of the Consolidated Fund as if it were part of the dividends."

It is evident a broken period between the issue of the Stock and the sale of the land and the date at which the first dividend shall accrue, is contemplated. I have not discovered the machinery by which the interest for the broken period is to be obtained from the purchaser. Another sub-section provides that the purchaser's insurance money shall be paid to the National Debt Commissioners, who are to apply and invest the same in manner prescribed. This insurance money discharges an important function for the tenant purchaser. The primary object is to shorten the annuity term. It will accumulate at interest to the end of each year, and be deducted from the principal at the end of 18 years. It is desirable that the purchaser should be informed as early as possible of the amount and extent to which his capital is affected. But there is no provision here that he shall be so informed; the Commissioners may keep that knowledge to themselves. I should be glad to see within the four corners of the Bill a provision that the operations of the National Debt Commissioners, both general and individual, should be communicated to those interested.

(10.33.) MR. CHANCE: There are two small matters to which I should like to draw the attention of the Chief Secretary. In the first place, I think particular gale days ought to be mentioned, that should be uniform or convenient to each locality. The first payment becomes due six months after the cash is paid over under the old system, or after the Stock has been issued under the new system. It will be convenient that the payments in a county should be made on one day. The interest on dividends is payable in June and December, with a provision for the interest during the broken period, and I would suggest that Sub-section 3 might very well be supplemented in another part of the Bill by a clause enacting that the broken period system should apply to the tenant purchasers as well, so that the Commissioners may have two gale days in the year, in May and in November, and not be hunting all over the country for rent all the year round. Further, I would refer to the adoption of the Section of the Act of 1887, and the provision for the investment of the guarantee deposit, and I may just remark on the inexpediency and unwisdom of locking up money that may be required at any moment in a security so difficult of realisation as Irish land.

*(10.38.) MR. GOSCHEN: The mention in the clause of the National Debt Act has reference solely to formalities which have to be observed in dealing with Consols. It is said that notice ought to be given to the tenants of the proceedings of the National Debt Commissioners with regard to the Sinking Fund. Every such information will be given. Returns may be moved for in the ordinary way; but it will be the duty of the Government to present Returns showing the precise state of the funds, how they have been progressing, and what is the general state of the various accounts. The House may rely upon the Treasury giving every information.

*MR. MADDEN: The point with regard to gale days was appreciated in 1887, when it was provided that the annuities should be payable on the 1st of May and the 1st of November. In framing the present Bill the dividends were made payable in June and December, so that there should be an interval of a month between the two operations. I hope and expect from past experience that this arrangement will render it unnecessary to draw on the Guarantee Fund or the Consolidated Fund, to any appreciable extent. The other point in regard to investments does not properly arise on this clause, but I may say that the Land Commissioners can, under the Statute, exercise discretion as to the investment of guarantee deposits.

Question put, and agreed to.

Clause 8.

(10.45.) MR. M. J. KENNY: This clause proposes to extend to certain counties of cities, and counties of towns, the liability which is extended to counties. The 1st Schedule includes the towns of Kilkenny, Carrickfergus, Galway, Drogheda, and Waterford. Now we have not made any objection to the principle of a Guarantee Fund, but we have consistently and persistently objected to providing an unsuitable and unfair Guarantee Fund, and nothing can be more unfair and unsuitable than to saddle upon urban communities the liabilities of purely rural districts, not only without their consent, but in such a manner as will make it impossible for them to derive any advantage from the arrangement. Of course, in the case of a county it can reasonably be advanced that although their securities are pledged without their consent, yet the persons living within those districts do derive some advantage from this. But that is not the case with cities and towns like these. The population of Kilkenny is over 15,000, of Galway about 20,000, of Drogheda 14,000, and of Waterford, I should say, 28,000. These places are all urban districts just as much as Derry, Limerick or Cork; and I do not see how logically you can exclude the one group and include the other. I think it is extremely desirable that all urban districts which are under the management of separate Local Authorities, whether Corporations or Town Commissioners, should be excluded from any liability under the guarantee portion of the Act. It is monstrous to propose that a city like Waterford, which cannot by any possibility derive the slightest advantage from the operation of the Bill, should have its local rates impounded and be liable to seizure for default of farmers outside, who may live at the far end of the county and do all their business with Cork. The same observation applies to Carrickfergus, a town which will derive no advantage from the Bill. The farmers of the county of Antrim carry on their trade to a greater extent with Belfast. I think the security of the State will be fully met by conferring the liability to the rural communities, and therefore I move the omission of Sub-section 2.

Amendment proposed, in page 9, line 18, "to leave out Sub-section (2)."—(*Mr. Kenny.*)

Question proposed, "That Sub-section (2) stand part of the Clause."

(10.53.) MR. A. J. BALFOUR: Of course wherever a line is drawn some cases of grievance will be created; but I do not think that the towns enumerated can declare that their prosperity is quite independent of the agricultural community in the neighbouring counties. It is not unjust, therefore, to make them responsible in part for that which will bring so much benefit and prosperity to the rural inhabitants, with whom they are associated more or less closely.

MR. M. HEALY: The right hon. Gentleman says it is difficult to draw a line that will not give rise to complaint; but the fact is there is a line drawn already on which the right hon. Gentleman's proposal encroaches. The towns which are not counties or cities themselves are now rated by the County Authorities, and are liable to pay the Grand Jury cess. But there are other towns which are counties of cities, and these it is unfair to bring under the general county rates. My hon. Friend has referred to Waterford, and can anything be more unfair than to make Waterford liable for the default of tenants who live in the neighbourhood of Ballyduff, where the business relations of farmers are with Cork? Why should a distinction in this respect be made between Waterford and Cork? The right hon. Gentleman divides the counties into two classes, and as regards one of them, the inhabitants are to be liable for the defaults of the adjoining counties, while the second will not be so liable. I would point out that the existing law draws a fair line of demarcation.

(11.5.) MR. SEXTON: It seems to me that we cannot debate this part of the Bill with the necessary particularity until we come to the Schedules. I am at a loss to discover upon what principle the right hon. Gentleman has proceeded in including and excluding towns. I fail to see what valid distinction can be drawn between the cities and towns included in counties, and the cities and towns to which the Act is not to apply. The City of Waterford is very hardly

treated in being placed amongst the included towns. I do not know any city of the same size which contains within itself so many energies and peculiar outlets for industry as Waterford. It is as wholly divorced from dependence on rural industry as any of the cities which the right hon. Gentleman has chosen to exempt. Unequal treatment is shown in the manner in which the cities have been separated in the two Schedules, and the cities in the 2nd Schedule stand in a position of extraordinary advantage as compared with the cities in the 1st Schedule. I invite the Chief Secretary to consider whether some modification of this treatment might not be made by which the rural portion of the population of those cities might be allowed to hypothecate their part of the urban funds.

MR. A. J. BALFOUR: I have taken out the figures, and the Committee will see there is as much justification for the line which the Government has drawn as there ever can be for any line drawn between two classes of the community which have much in common. It is true that many of the towns included in the Bill have industries of a purely urban character; but even Belfast and Dublin cannot be considered as being wholly divorced from the interests of the agricultural community in which they find themselves placed. Nevertheless, I think that if we are to include any towns at all within the purview of the Bill the Government have chosen the best line. I find the population of the excluded cities under this Bill is: Londonderry, 59,000; Limerick, 48,000; Belfast, 208,000; Cork, 104,000; Dublin, 273,000. If I come to the included cities I find that Waterford is almost identical with Londonderry—just 59,000; Carrickfergus, 10,000; Kilkenny, 15,000; Drogheda, 14,000; and Galway, 90,000. The only point of contact is between Waterford and Londonderry. The hon. Gentleman suggests we should exclude the five cities we have included. I do not think that would be expedient in the interests of the rural population with whom we are specially concerned. By excluding them we would diminish the amount of the Guarantee Fund at the disposal of the rural community, and by so much diminish the benefit which the Act was intended to confer on the counties concerned. I admit that it is impossible to defend any line on the ground that there are no cases on each side which might possibly, by plausible argument, be transferred to the other side; still I think the line is drawn, on the whole, at the best point, and I should be sorry to see the Bill limited in its operation by any exclusion such as the hon. Gentleman suggests.

MR. KNOX: I fail to see that the right hon. Gentleman has given any reason for having drawn a line on one side of Waterford and on the other side of Londonderry, which are places of almost similar population. They are both seaports and largely engaged in shipping. I venture to submit that there is really no justification for including these five towns within the scope of the Bill.

(11.30.) MR. J. CHAMBERLAIN (Birmingham, W.): I wish to ask for a little information on a point of Order. I do not wish to interfere in the discussion, but for the information of the Committee I want to know whether in the clause we are now discussing as to whether the county cities and county towns specified in the 1st Schedule of the Act are to come under its operations, it is proper to discuss the merits of individual places? That can be done when we come to the Schedule itself, but the question is, ought we to have two discussions on that point?

MR. SEXTON: Also on a point of Order. How can the Committee determine the question raised by this Amendment except by dealing with specified places?

THE CHAIRMAN: Order, order! It is a question of detail. The point is whether the Schedule of the Ashbourne Acts shall be adopted in this Bill, and it is impossible now to discuss the general characteristics of each city or town.

SIR. G. TREVELYAN (Glasgow, Bridgeton): I think it is rather unfortunate, owing to the somewhat arbitrary character which certain towns and cities in Ireland have acquired, that this question has been raised exactly in this shape. If there had been some sort of local control granted there might have been good reason for the clause, but as it is, it seems to be mere chance whether towns and cities are or are not drawn within the purview of the clause. The scheme which includes Waterford in and

excludes Londonderry from the county can commend itself to none. I do not see why two towns, each with a population of 29,000 or 30,000, should be treated so differently. Some principle, such as that adopted in the English Local Government Act, might well be accepted here. Municipal boroughs should be recognised, and if certain towns are to be excluded from the risks and advantages of the Bill they should be municipal boroughs above a certain population. I would suggest a limit of 15,000 or 20,000, and we might take the opinion of the Committee.

MR. SEXTON: I agree with the suggestion of the right hon. Gentleman, but think that all municipal boroughs should stand out of the operation of the Bill, unless they wish to come in.

MR. A. J. BALFOUR: The suggested Amendment of the hon. Member for Cork has reference to the Schedule, and when this Schedule comes on for discussion I shall be prepared to consider the Amendment.

(11.35.) MR. M. J. KENNY: The Chief Secretary has not met the arguments which I advanced against the inclusion of these towns and cities within the operation of the Bill. Cork, Limerick, and Derry are excluded, while their municipal boundaries extend three or four miles into purely agricultural districts. I want to know why the farmers living in the outskirts of these cities—some thousands in number—are to be altogether excluded from the benefits of the Bill?

MR. M. HEALY: I wish to refer particularly to the case of the City of Cork. Its boundaries run eight miles beyond the city proper, and the rural population number 20,000. Yet they are wholly excluded from the Bill. In this clause the right hon. Gentleman has divided the towns of Ireland into two classes in a most arbitrary fashion. I maintain that the exclusions have not been so carefully considered as they ought to have been, and I, too, would advocate a system of excluding or including certain cities by a certain limit of population.

MR. SEXTON: Will the Chief Secretary make a declaration as to the power to be given to the Municipal Authority in the cities specified?

Sir G. Trevelyan

(11.42.) The Committee divided:—Ayes 129; Noes 71. — (Div. List, No. 219.)

(11.54.) MR. SEXTON: In moving the next Amendment, I merely wish to say that I think it would only be fair to give the discretion it proposes.

Amendment proposed,

In page 9, line 30, after the word "transferred," to insert the words "Provided that, if the Town Council or Town Commissioners of any such county of a city or county of a town shall by Resolution passed in the prescribed manner so declare, this Act shall not apply to such county of a city or county of a town."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

(11.55.) MR. A. J. BALFOUR: I have not, unfortunately, the exact figures indicating the share of the Guarantee Fund contributed by each city; but the question raised by the Amendment is not one upon which I feel very strongly. I think it is more a matter for the counties to decide. We can hardly hope to finish the discussion on this to-night, and perhaps it would be as well to defer saying anything definite upon it.

MR. SEXTON: Very well. I move to report Progress.

(11.56.) Committee report Progress; to sit again to-morrow.

BRINE PUMPING (COMPENSATION FOR SUBSIDENCE) (*re-committed*) BILL.—(No. 296.)

Considered in Committee.

(In the Committee.)

Clause 3.

(12.2.) MR. HASTINGS (Worcestershire, E.): I beg to move the Amendment standing in my name.

Amendment proposed, in page 1, lines 22 and 23, to leave out "and any sanitary authority."—(*Mr. Hastings.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. GAINSFORD BRUCE (Finsbury, Holborn): I would appeal to my hon. Friend to withdraw his Amendment, which is subversive of the principle of the Bill. The measure was carefully considered by the Select Committee, which took a large amount of evidence,

I feel sure the Amendment would give rise to considerable Debate, if insisted on, and would be fatal to the Bill.

*MR. J. S. GATHORNE-HARDY (Kent, Medway): I would support the view expressed by my hon. and learned Friend. I was Chairman of the Committee, and I think we arrived at a very fair compromise on this subject. I think it very unfortunate that an Amendment of this kind should be moved, because, if persisted in, it will wreck the Bill.

*MR. STORY-MASKELYNE: (Wilts, Cricklade): I have sat on two Committees on this subject, and I may say that the hon. Member who has brought forward this Amendment himself belonged to, at any rate, a section of those with whom the compromise was made before the Committee. It was a compromise on which there was a considerable amount of yielding on each side, and I think, under such circumstances, it ought to be considered a point of principle with gentlemen who represent the different interests that came before the Committee to submit to the arrangement that was arrived at. I hope the hon. Member will not press the Amendment.

(12.6.) MR. HASTINGS: I am entirely unaware that I was represented in any way before the Committee, and I never heard of any compromise. I have no interest in the matter except a public interest; but I happen to live in a district where many of these questions arise.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG, Wilts, Devizes): I would submit to my hon. Friend that the matter with which his Amendment deals is one of great importance, and the proposal would give rise to a general discussion if it were pressed. The Bill is the result of very careful consideration by a Select Committee, and I would submit that there is hardly any good reason why a rural Sanitary Authority should not be allowed to move in the matter. If this Amendment is refused by the Committee the only result will be that the rural Sanitary Authority will have the right of moving in the first instance. Its action will have to be followed by a local inquiry, and it will rest with the Local Government Board to act. I submit that the power of initiation which the clause gives alike to the landlords and the rural Sanitary Authority is not a dangerous power, and as the tendency of Parliament has been to increase the powers of the local Sanitary Authorities, and as my hon. Friend represents a form of Local Government himself, I am sure he will not desire that the slightest slur should be thrown on the Local Authorities.

(12.10.) MR. HASTINGS: I withdraw the Amendment.

Amendment, by leave, withdrawn.

Several verbal Amendments agreed to.

(12.14.) MR. HASTINGS: I beg to move in Clause 22, page 7, line 12, after "exceed" to insert "one half of." I believe this Amendment would make the Bill more equitable and remove any objections that are at present entertained with regard to it. It is quite true, as has been said, that the Committee took a certain amount of evidence on this Bill, but there was one subject on which they did not take evidence, or took it to a very slight extent, that is to say, with regard to the causes of subsidences. There is great doubt whether a large part of the subsidence is caused by brine-pumping. I went into the question some years ago with one of the most accomplished geologists in this country, who had gone over the brine district in Worcestershire, and the conclusion I then arrived at was that the brine-pumping did not create any great effect upon the subsidences, and that the subsidences were due to natural movements of the earth, which would take place if there was no pumping. I believe a large amount of scientific evidence could be produced in support of that view. If that be so, considerable injustice would be done to the owners of brine property by making them pay the full amount of compensation to those who suffer from the subsidences. It seems to me that the justice of the case would be fully met if the amount of the compensation were cut down by 50 per cent.

Amendment proposed, in Clause 22, page 7, line 12, after "exceed," to insert "one half of."—(*Mr. Hastings.*)

Question proposed, "That those words be there inserted."

*(12.17.) MR. J. S. GATHORNE-HARDY: I do hope the hon. Member

will not press this Amendment. No doubt the Committee over which I presided did not hear any large amount of evidence on this question, but we had before us the evidence presented to the former Committee which went into it very largely. To my mind it is perfectly childish to maintain the view put forward by my hon. Friend opposite. No one who is acquainted with the state of things in the brine-pumping districts would accept the evidence of any expert that these subsidences are due to natural causes. Those natural causes have been at work for many centuries, but it is only during the last 100 years, since brine-pumping has been going on so extensively, that these subsidences have occurred. The Committee took into consideration all the facts of the case, and refused to recognise the claims of a large number of people—such as those who claimed on behalf of the public rights, all public companies and all landlords who make any profit out of the sale of salt—so that, practically, only the small owners of property in these districts will receive full compensation.

*(12.20.) MR. STORY-MASKELYNE: I am very sorry that when I spoke before I used expressions which made the hon. Member (Mr. Hastings) think I had done him an injustice. I certainly understood that he had a considerable interest in the great salt monopoly, and I assumed, from what I had heard, that his opposition to the Bill arose from that cause. Of course, I perfectly accept his statement that it is only on public grounds that he opposes the Bill. I would ask him to withdraw this Amendment. I believe I am the only Member in the House who sat on the Committee of 1881, when this question was thoroughly gone into, and I can truly say that we then convinced ourselves, as the Committee which sat the other day were perfectly convinced, that these subsidences have occurred in proportion as the brine has been pumped up. As a scientific man, I venture to say that the enormous subsidences of late times have arisen entirely from the exaggerated amount of pumping that has taken place. To adopt the contrary view is simply to go back half a century in our knowledge. I think that in Cheshire there can be no doubt whatever on the question.

MR. BRUNNER (Cheshire, Northwich): I want to bear my testimony to the great devotion to work shown by the Committee, which was a perfect microcosm of this House. It is not at all the fact that the Committee refused to receive scientific evidence on this point. The Chairman of the Committee said he hoped the evidence would not be presented at great length, and, thereupon, the counsel representing the Salt Union decided not to offer any scientific evidence at all. It seems to me equitable that if those who pump brine damage their neighbours, they should pay the whole, and not half, the cost. The Committee has decided not to give any compensation to those public bodies who have no legal right to support, but to give it to the small freeholders of Northwich and Winsford. Time after time it has happened that a workman has seen the whole of the savings of his life disappear in consequence of one of these subsidences, at a time when he is no longer able to earn his living. I may say that there is no one so much interested in this matter, and who will pay so much if the Bill passes, as myself. I think, therefore, I have a right to appeal to the hon. Member to allow the clause to stand as it is.

(12.25.) MR. HASTINGS: I do not, of course, wish to set myself in opposition to the feeling of the Committee, but I think it will be recognised that I have a right to express my view on the subject—a view which remains unchanged. It may be that the conditions in Cheshire differ from those in Worcestershire. I have spoken from my own knowledge, and I am convinced that, as far as my own county is concerned, I am right. I may say that my personal interest, as far as it goes, would induce me to favour the Bill, because I happen to hold property in a district where these subsidences take place.

Amendment, by leave, withdrawn.

Several verbal Amendments agreed to.

Bill reported; as amended, to be considered to-morrow.

House adjourned at twenty-five minutes before One o'clock.

HOUSE OF COMMONS,

Wednesday, 13th May, 1891.

PRIVATE BUSINESS.

MANCHESTER SHIP CANAL BILL.

Further Proceeding on Motion for Instruction to Committee resumed.

Motion made, and Question proposed,

"That it be an Instruction to the Committee to consider the advisability in the public interest, of requiring the fulfilment of the provisions of Clause 199 of the Manchester Ship Canal Act of 1885, which provides for the vesting of the Undertaking in a Public Trust as a condition precedent to the sanction of any municipal guarantee for the raising of additional capital."—(*Mr. Philip Stanhope.*)

Motion, by leave, withdrawn.

*(12.20.) MR. P. STANHOPE (Wednesbury): In rising to move the Instruction which stands in my name, the House will see that I have varied it somewhat from the original Instruction which I placed on the Paper. I have done so in acquiescence with representations which were made to me by the Manchester Ship Canal Company and the Manchester Corporation. I wish to assure the House that in the Instruction I am now moving I am animated by no spirit of hostility towards this undertaking. On the contrary, I have the greatest sympathy with the 40,000 patriotic shareholders who have contributed their money for the completion of this great work, and with the Corporation of Manchester, who are not allowing this important undertaking to perish at the eleventh hour for want of timely and adequate financial assistance. I am also one of those who favour the municipalisation of our canal system, because I believe that it is only by that means the canal system can be effectively utilised as a means of competition with the railways for heavy traffic. I think I have said enough to convince the House that in the Instruction I am about to move I am in no way actuated by a feeling of hostility to the objects of the Bill now before the House. Before proceeding further it is necessary that I should explain the present position of the Ship Canal and the reasons which have induced the Corporation of Manchester to come to the assistance of the company. In the first place, I feel bound to express my regret that neither the Board of Trade nor the Local Government Board have appeared to consider this novel departure from ordinary municipal procedure, namely, a proposal to lend £3,000,000 of money to a Limited Liability Company as worthy of notice. At any rate, neither Department offered any suggestion upon the Second Reading of the Bill. I admit the special circumstances of the case, and therefore I feel called upon to give some particulars as to the financial position of the Ship Canal Company. The company have already expended a sum of £9,250,000 up to the end of 1890, when the Corporation of Manchester were invited to come to their assistance. They appointed a Committee to inquire into the circumstances of the case, and that Committee came to the conclusion that the company were no longer in a position to exercise their borrowing powers. Their credit was unfortunately exhausted, and the Committee recommended that, owing to the exceptional character of the undertaking, its magnitude, and the fact that if it is not completed the works so far executed would be rendered useless, it was necessary that the Corporation should make the large advance of £3,000,000 in order to ensure the completion of the undertaking. There were already First Debentures to the amount of £1,800,000, and Second Debentures to the amount of £600,000. The Manchester Corporation had, therefore, to consider in what form financial assistance could be best given to the company, and they came to the conclusion that it would be unfair to the existing debenture holders to claim any priority over them. They have consequently agreed to the very startling proposal that they should become the purchasers of a third mortgage of £3,000,000, ranking after all existing mortgages. There can be no doubt that there are a large number of Corporate Bodies who

would be willing to co-operate with the Corporation of Manchester in forming a Public Trust, so as to secure the future success of this scheme—for instance, the Corporations of Salford, Stockport, and Warrington, the Weaver Trustees, and probably the Lancashire County Council. This is no new proposal. On the contrary, a very large number of Public Trusts already exist for the management of the estuaries of our great rivers and harbours. London forms a lamentable exception, and we have had recently, in the strikes which have taken place here, great cause to regret that this is so. In the Clyde, the Mersey, the Tyne, the Dee, and the Tees, where important public works exist, they are administered in the interests of the public under the management of a Public Body, and I think that the same system may be wisely and safely extended to the Manchester Ship Canal. The Corporation of Manchester and the Ship Canal Company have already accepted the principle I am now advocating. In the Act of 1885 the Corporation insisted on the insertion of a clause—No. 199—which indicates the future possibility of a transfer of the undertaking to a Public Trust. At that time the Corporation had only agreed to advance a small sum of money—£17,000—for the Parliamentary expenses of the canal, and as a *quid pro quo* they obtained this useful and valuable clause. The position has now entirely changed. The Corporation find themselves obliged to come to the rescue of the Canal Company, and to advance the large sum of £3,000,000 in order to complete the undertaking. It is said in one of the papers issued by the promoters of the present Bill that the adoption of my Instruction would defeat the measure, because no reference was made to it in the Parliamentary notices of the promoters, but I am not aware that any Member of this House is not fully within his rights in moving an Instruction to a Committee upon a Private Bill. Both the Corporation and the Canal Company say that the adoption of the Instruction will delay the completion of the undertaking, and will defeat the object of the Bill. This I entirely deny. All I ask is that within a stated time the provisions of Clause 199 of the original Act, which provide for the vesting of the undertaking in a Public Trust as a condition of the sanction of any municipal guarantee for the raising of additional capital, shall be fulfilled. Let me suppose that within two years the Manchester Corporation shall find that the original estimate of £3,000,000 is insufficient to complete the undertaking. Having advanced £3,000,000 they would be obliged to give more. Once embarked in the undertaking the Corporation will find themselves compelled to proceed with it, and to provide all the money that may be necessary to carry it through. The Corporation would in that case be obliged to take possession of the undertaking upon which they have advanced the money of the ratepayers, and that would be almost as bad as if the undertaking were still remaining in the hands of a private company. It ought to pass into the hands of a Public Trust representing not only the interests of Manchester, but of all the localities concerned. Upon these grounds I think the House ought to instruct its Committee to provide a suitable guarantee that the undertaking shall, within a stated period, be transferred to a Public Trust, which will have the widest possible interest in its successful completion and future management. Therefore, without the least desire to retard the progress of the Bill, I beg to move the Instruction which stands in my name on the Paper.

Motion made, and Question proposed,

"That it be an Instruction to the Committee to consider the advisability, in the public interest, of requiring the fulfilment within a stated period of the provisions of Clause 199 of the Manchester Ship Canal Act of 1885, which provides for the vesting of the Undertaking in a Public Trust as a condition of the sanction of any municipal guarantee for the raising of additional capital."—(*Mr. Philip Stanhope.*)

*(12.40.) SIR J. PEASE (Durham, Barnard Castle): The Bill to which my hon. Friend has called attention is one of the most extraordinary measures which have ever been presented to the House. I am aware that there have been occasions when Corporations have been allowed to subscribe to some extent in return for

the advantages which the Bill is supposed to confer upon the public. The Corporation of Manchester, in this instance, seek to subscribe towards the making of the Ship Canal a sum of £3,000,000, and they propose to do so at a time when it is quite plain that it is impossible to raise that amount of money on any security the Canal Company can have to offer in the open markets. It is only a few years ago that I went into the Lobby to divide against a proposal in regard to the alteration of the Standing Order by which it was proposed to allow the payment of interest out of capital during the construction of works. The proposed alteration was adopted, and what has been the result? This company obtained power to raise money by shares, and were enabled to promise the unfortunate shareholders the payment of interest on the capital. Yet, the very first thing the Corporation of Manchester now ask is that it shall be made a condition precedent to their loan that the power of paying interest out of capital shall be no longer exercised. Then, again, there is another point. If the London and North Western, or the Great Western, or any other solvent company possessing railways and perhaps canals were to come to Parliament for further powers they would have to comply with the rules which Parliament has laid down for cases of this kind, and obey all the Standing Orders; but it would appear that as soon as a company gets into difficulties the Standing Orders are to be thrown on one side in order that the company may be helped through their difficulties. In the next place, Parliament has laid down the excellent principle that a certain proportion of share capital shall be subscribed before borrowing powers are exercised, but it would seem that as soon as a company gets into difficulties the rules are to be broken down which are enforced upon a solvent company. In this instance, for the advance of this £3,000,000, the Corporation of Manchester are to appoint three Directors of the company, so that the Corporation, which in extreme stress of weather are to find a crew to man the ship, are to be in a large minority upon the directorate. The canal itself may be described as simply an attempt to bring the sea a little nearer to Manchester, but all such works ought to be in the hands of a Harbour Trust, as is the case in Scotland and the North of England. In every one of these cases the old Navigation Company, which formerly had control of the sea way, was bought out and a Public Trust created for the benefit of the whole neighbourhood. The Bill is a novel one involving a great precedent, and I therefore beg to second the Instruction which has been moved by my hon. Friend.

*(12.45.) SIR W. HOULDSWORTH (Manchester, N.W.): I at once accept without any misgiving the statement of the hon. Gentleman who moved this Instruction, that he entertains no hostility to the Manchester Ship Canal, and that he has no wish to retard the progress of the Bill, although I am not sure that the hon. Baronet who seconded the Motion did not make a speech which was more pertinent to the Second Reading of the Bill than to the Instruction. I do not think it is necessary to traverse the general proposition which has been laid down by the hon. Member for Wednesbury (Mr. P. Stanhope)—that it is desirable, as a general principle, where Municipalities come forward to assist private undertakings that Public Trusts should be constituted. I admit that in some cases it is an important principle, but it must be in the knowledge of the House that there have been many exceptions to the rule. I oppose the Instruction, because I look upon it as unnecessary and as inopportune. It is unnecessary because, under the Ship Canal Act, an application may be made at any time for the constitution of a Public Trust, and the hon. Member himself can introduce a Bill on the subject, either now or at any future time. That provision of the Act is by no means favourable to the Ship Canal Company as a private enterprise, because it expressly excludes the company from opposing such an application. Therefore,

we already possess all that the hon. Member requires. Certainly there is no time stated in the Companies' Act; but I think it would not only be inconvenient, but dangerous, to convert the present company into a Public Trust, unless the time and circumstances justified such a change. Personally, I do not look upon private enterprise with any feeling of dismay; on the contrary, I think this House ought not to discourage private enterprise. I need only remind the House that most of our great national works have been the result of private enterprise. Many of them would never have been advanced as far as they have been if it had not been for such enterprise. There seems to me to be nothing in this Bill to justify an Instruction such as this. The Bill is a very simple one. No doubt the promoters have been disappointed, and have found that the amount of capital originally proposed has been altogether inadequate to carry out the undertaking. It is not necessary that I should enter into the circumstances of the case The Corporation of Manchester, on behalf of the ratepayers, and with their full sanction, have now come forward to say, "We will not have this enterprise dropped; but we are prepared to advance £3,000,000 in order that the canal may be finished." I should have thought that the time to consider the propriety of constituting a Public Trust would arise when a scheme for the purpose was fully developed and all the details could be gone into. At such a time a Committee would be capable of considering the whole question, and saying whether the circumstances were such as to justify and demand the undertaking being converted into a Public Trust. The hon. Gentleman does not propose that a Public Trust shall be constituted now, but at some future time. Such a provision would, in my opinion, be a most dangerous one, seeing that it would amount to the compulsory constitution of a Public Trust at some fixed date, no matter what the circumstances might be. At the present moment it would be an instance of swopping horses while crossing a stream. As I think the existing Act of Parliament is quite sufficient to enable the hon. Member at any time to accomplish all he desires, I trust the House will reject the Instruction he has moved.

(12.55.) MR. JACOB BRIGHT (Manchester, S.W.): I think my hon. Friend opposite (Sir W. Houldsworth) has conclusively shown that the people of Lancashire already possess the option under the Act of 1885 of applying for the conversion of this undertaking into a Public Trust, if they desire to exercise it. The only object that could be gained by adopting this Instruction would be to delay the progress of the Bill, and delay might be fatal to the object the promoters have in view. By the middle of July the Canal Company will require the support which the Corporation of Manchester has with so much public spirit agreed to give them. There are a very large number of persons now employed upon the works, and it would be a very serious thing if a collapse were now to occur. About two-thirds of the works are finished, but one-third is only partially finished. If there were a general stoppage, with nobody to take charge of the works and protect them, a great deal of damage would necessarily be done, and the entire undertaking would become deteriorated. Hon. Members on both sides of the House have always taken a great interest in this project; there are upwards of 1,000,000 persons concerned in its welfare; and no voice has been raised in favour of the proposition of my hon. Friend.

*(1.0.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The hon. Member for Wednesbury has stated that neither the Board of Trade nor the Local Government Board have taken any interest in this matter. I am sorry that my right hon. Friend the President of the Board of Trade is not able to be present to-day, and it is impossible for me to state what action has been taken by my right hon. Friend. I have no doubt, however, that the Board of Trade has gone carefully into the ques-

tion. So far as my own Department and myself are concerned, the hon. Gentleman is much mistaken in supposing that we have taken no interest and no action in the matter. The Local Government Board have had several interviews with those concerned in the question in Manchester, and the result has been that various modifications have been introduced into the Bill. In the original proposal no provision was made for a Sinking Fund for the repayment of the advance. The Local Government Board strongly insisted upon such a provision being made, and the company, in compliance with our proposal, have included in the Bill a provision for repayment, and for a Sinking Fund. The question whether it is to be five or 10 years before this provision is to come in, or whether it is to come in at once, is, I think, a question that can be safely left to the consideration of a Committee. With regard to the general question, I am bound to say that I do not regard the step which is being taken by the Corporation of Manchester with much satisfaction. There is no doubt it ought to be conclusively shown that there is a strong and exceptional case before any Corporation is justified in mortgaging its funds for purposes other than the purposes which come under its jurisdiction, and the House will see how very prejudicial it would be to the general interests of the community if the rates were to be burdened by responsibilities in regard to matters not within their jurisdiction, which might prevent the Corporation from carrying out the duties which are imposed upon them. Under these circumstances, I cannot say, therefore, that I regard this proposal altogether with satisfaction. It can only be justified by an exceptional state of things. The question is whether an exceptional case has been made out. There can be no doubt that Manchester, as a whole, is deeply interested in this particular enterprise, and that feeling is not confined to any particular section of the community, but is shared in by every class, high and low. The Corporation have come unanimously to the conclusion that assistance should be given, and at a public meeting no objection was taken to the proposal and no poll demanded. I therefore think that an exceptional condition of things has been made out sufficiently to justify the Local Government Board in not offering opposition to the Bill going before a Committee and being thoroughly considered. The hon. Member proposes that the undertaking should be converted into a public trust. I am not disposed to deny that there would be advantages in the constitution of a public trust, but there can be no question that if the Instruction of the hon. Member were accepted, it would necessitate such delay that the present proposal could not be carried out. I do not think it would be right by an Instruction of this kind to destroy the Bill, and I think such a course would be more unjustifiable, seeing that there is a provision in the company's original Bill, by which the views of the hon. Member may ultimately be carried out. I would recommend the House to allow the Bill to go before a Select Committee without this Instruction, and it will then be the duty of the Local Government Board to put the views they hold before the Committee.

*(1.7.) MR. SCHWANN (Manchester, N.): This is no doubt a question of very great importance to the people of Manchester, and I trust that the House will not imperil the Bill by agreeing to the proposal of the hon. Member for Wednesbury. The sum of £3,000,000, which is proposed to be lent by the Corporation of Manchester, is considered by their own specialists to be at least £1,000,000 in excess of the absolute requirements of the case, but they wish to be on the right side, and take powers to raise more than may be wanted, in order to cover any further unforeseen expenditure, without having to come to this House again, and there is, consequently, little doubt that if this Bill be passed the Canal will be proceeded with, and will be finished, and ocean-going steamers will be navigating it

within a couple of years. So far as the constitution of a public trust is concerned, that is a subject which may well be left for future consideration; but, as a matter of precedent, I would point out that in the case of the Mersey Docks, which were originally constructed by the Corporation of Liverpool, but when it was found to be in the interests of the community, there was no difficulty in acquiring the undertakings and vesting them in a public trust, and the same thing would undoubtedly take place with regard to the Manchester Ship Canal, especially as powers have been reserved to the Corporation of Manchester to take this step, which the Canal Company binds itself to facilitate when applied for.

(1.9.) MR. COURTNEY (Cornwall, Bodmin): I have very little to add to the remarks which have been made by the President of the Local Government Board. The Instruction moved by my hon. Friend the Member for Wednesbury would give very large powers to a Committee of this House. No doubt a Committee can do many things, but there are some things beyond its competence. We shall hear more of the Canal in future years, and I have no doubt that as time passes the feeling will grow in favour of placing the undertaking under a public trust; but before Parliament can undertake the consideration of such a conversion there must be a large measure of agreement in the locality itself. In regard to the question of the Sinking Fund, I believe the Corporation of Manchester, reflecting the feeling of the people of the city, are determined to back up the Canal and see the work through. It is, however, the function of the House to protect both the present and the future generation in a matter of this kind; and I agree with the hon. Gentleman the President of the Local Government Board in thinking that the Corporation of Manchester are deferring till too late a date, the time when they will begin to feel their responsibility. I should prefer a much earlier date than ten years for the beginning of the period of redemption. I am not quite sure whether or not the Bill will be opposed. If it is not, it will fall to me to determine whether or not the redemption should begin at an earlier period. I rather feel that will be a considerable task to throw upon me, and I may have again to come to the House and suggest that the Bill should be treated as an opposed measure, and that a Committee should be set up to consider this matter, which ought to be dealt with by a strong Committee of the House.

*(1.15.) THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): Speaking for myself alone, I wish to say one or two words on this matter. And I wish to recognise the value of the suggestion which has been made by the hon. Member for Wednesbury. I think if it had not been for his Motion this most important measure might have slipped through the House of Commons, so to speak, *per incuriam* as an unopposed Bill. I cannot attempt to go back to a question which might have been more properly raised upon the Second Reading of the Bill, and, I think, the hon. Member for Wednesbury and my hon. Friend the Member for Durham have stated so very forcibly all the considerations in favour of the proposal which is made by them that it would be simply wasting the time of the House to cover that ground again. But, in my opinion, justice has scarcely been done to the alteration introduced by the hon. Gentleman opposite in the form of the Instruction, for the Chairman of Ways and Means and other speakers have dealt with this matter as if the Instruction was before the House in its original form. The hon. Gentleman has introduced into the Instruction the words "within a stated period," that is to say, he contemplates the creation of a public trust, not at this instant, not in the course of the present year, but at some time which may be

fixed by the Committee, and placed in the Bill as a condition of this money being lent. The passing of the Instruction as it now stands need not interrupt the progress of the works. The works need not be suspended for one day if the Committee come to the conclusion that on the completion of the works, or when the last portion of the money has been advanced, a time should be named at which the company should give way to a public trust. With regard to the Sinking Fund, the disposition on the part of Public Bodies to spread such a fund over an indefinite period should be carefully watched by the House. A scheme for a Sinking Fund which is not to be complete till 110 years have elapsed, is pretty nearly a proposal to repay by intalments through the whole of eternity, and can hardly be treated as a Sinking Fund at all. The greatest authority upon questions of this sort, the late Lord Redesdale, always held that 60 years should be the maximum of time allowed for a Sinking Fund, even in the case of works which are the property of a Corporation. And I cannot but think that even greater strictness should be observed in dealing with a measure which, whatever may be its public utility, constitutes a most dangerous and revolutionary innovation in municipal finance as administered by Parliament. I hope, therefore, the Committee will require that the Sinking Fund should not extend over a period of more than 50 years.

*(1.20.) MR. P. STANHOPE: I am glad the Postmaster General has pointed out the important difference between the first Instruction which was placed on the Paper and the Instruction in its present form. As I stated in my earlier observations, I am extremely desirous not to do anything that may prove to be prejudicial to the Manchester Ship Canal Company. I will not press my Instruction on the present occasion, but I reserve to myself the right to move, on the Report stage of the Bill, the insertion of a clause embodying my principle.

Motion, by leave, withdrawn.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL, 1891.

Copy ordered—

"Of Return relating to all Holdings in Ireland Classified according to Valuation—(a) over £30; (b) £30 and under; with Estimates as to Allocation of the Capitalised Value of the Guarantee Fund for Purchase on the Assumptions stated within."—(*Mr. A. J. Balfour.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 234.]

NEWFOUNDLAND FISHERIES BILL [LORDS].

Read the first time; to be read a second time upon Thursday 28th May, and to be printed. [Bill 339.]

BUSINESS OF THE HOUSE.

(1.25.) MR. SEXTON (Belfast, W.): Can the Chief Secretary say when the figures he had promised us will be at our disposal?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): They went to the printers yesterday, and it is hoped they will be ready this afternoon.

SIR G. TREVELYAN (Glasgow, Bridgeton): The Chancellor of the Exchequer told the House that on the return of his right hon. Friend the First Lord of the Treasury something more would be said about the holidays and about the business to be taken after the House re-assembles. Perhaps the right hon. Gentleman may be able to give the House some more information now.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I am well aware that there is a strong desire on the part of hon. Members, in consequence of the prevailing sickness, that some slight extension of the holidays should be made; but the Government are in a position of extreme difficulty in consequence of the measure now before the House having made less progress than they had hoped. I will say no more than that. The Govern-

ment, therefore, are not certain that the expectation which has been held out will be realised, namely, that the Bill will be passed through Committee in the course of this week. If that expectation can be realised it will be greatly for the convenience of hon. Members on both sides of the House, and any question which may still remain for consideration can be disposed of on the Report. Having regard to the fact that the House is working shorthanded, that we have only one clerk at the table, that our messengers are nearly all laid up, that 10 of my colleagues are in bed, and that there are serious gaps on the Front Bench opposite, it would be well if we could pass the Bill through Committee this week, and adjourn till Monday week. In that case Supply would be taken on Monday week, and the Report of the Land Purchase Bill would not be proceeded with till Monday, the 1st of June, so that hon. Members from Ireland could have time to put Amendments on the Paper, and also have some little rest from the incessant services which they have rendered in the House. If, however, the Government should not be so fortunate—I do not say it in any sense as a threat—it will be necessary, looking to the state of business and to the fact that we have a large amount of work yet to do, to adjourn on Friday till the following Thursday, and then to resume the consideration of the Land Bill in Committee. I hope hon. Gentlemen will understand the spirit in which I make the suggestion.

MR. TOMLINSON (Preston): Will the right hon. Gentleman say whether the Government contemplate taking the Factories and Workshops Bill before the 1st of June?

*MR. W. H. SMITH: I think not. Under the arrangement which I have suggested, we will take Supply on the first day after the Recess, and probably the Bill of my right hon. Friend the Chancellor of the Exchequer will be taken on Tuesday at a Morning Sitting. On Thursday, the 28th of May, if unfortunately we are obliged, we will proceed with the Newfoundland Fisheries Bill, but I hope we shall not be under the necessity of doing so.

SIR W. LAWSON (Cumberland, Cockermouth): May I ask whether, in the event of our being called back on Monday week, the Government will take the Derby Day?

*MR. W. H. SMITH: The hon. Baronet is well aware that that is a question not for the Government, but for the House. The state of business must be a matter for consideration, and I hope that the House will, in the exercise of its discretion, consider whether it is right, under the circumstances, to adjourn over that day.

SIR W. LAWSON: I desire to know whether the Government will support the Motion for the adjournment over the Derby Day?

*MR. W. H. SMITH: The Government have never, in my time at all events, voted as a Government upon the question, but they have always left it to the House to decide what course shall be taken.

MR. BROADHURST (Nottingham, W.): Can the right hon. Gentleman state the intentions of the Government with regard to the Employers' Liability Bill?

*MR. W. H. SMITH: The hon. Gentleman has, unfortunately, not been in his place. I have twice stated the intentions of the Government in regard to that measure.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): Can the right hon. Gentleman hold out any hope of a day for the resumption of the Debate on the Eight Hours (Mines) Bill?

*MR. W. H. SMITH: There has been no Debate on the Eight Hours Bill, and therefore its resumption is a misnomer. In the present condition of business we cannot hold out any hope that it will be in the power of the Government to give a day for the discussion of that measure. The great questions involved in the Bill are under the consideration of a Royal Commission.

MR. SEXTON: I would suggest that if certain of the new clauses were withdrawn for the present we might conclude the Committee on the Land Bill before Whitsuntide, on the understanding that the Bill should be recommitted after the Recess.

*MR. W. H. SMITH: I fully acknowledge the spirit in which the hon. Member has made the suggestion; but the course he proposes would be a most unusual one to take in a case of this kind. The utmost latitude ought to be afforded for the consideration of new clauses on the Report, and I think that between now and to-morrow we may be be able to assure the hon. Gentleman that we are desirous to meet him as far as we reasonably can with a due regard to advancing Public Business.

ORDERS OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 8.

Amendment proposed,

In page 9, line 30, after the word "transferred," to insert the words "Provided that if the Town Council or Town Commissioners of any such county of a city or county of a town shall by resolution passed in the prescribed manner so declare, this Act shall not apply to such county of a city or county of a town."—(*Mr. Sexton.*)

Question again proposed, "That those words be there inserted."

(1.37.) MR. SEXTON (Belfast, W.): Last night I asked by how much the exclusion of the exempted cities will diminish the capital amount of Stock for the purposes of the Act. I ventured to suggest the amount would be £4,000,000. It would be convenient if we could learn what the amount is.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Unfortunately I have no separate statistics. I telegraphed to Ireland at the earliest possible moment this morning, and I expect information in the course of the afternoon, but I hardly think it is necessary for the Committee to wait for the figures before arriving at a conclusion on the point. As I said before, population alone ought to be, broadly speaking, the main ground for an action in this matter. I think the line we have drawn is as good as can be drawn, and I am disposed to recommend hon. Gentlemen not to press the matter.

MR. M. J. KENNY (Tyrone, Mid): I must point out a serious defect in the Bill. The boundaries of some of the exempted cities extend for miles into the country. In the outskirts of the cities there is a purely agricultural population. Under the Bill as it stands many *bonâ fide* farmers will be excluded from its benefits. In the case of Limerick, Derry, and Cork, injustice will be done to very many persons.

MR. SEXTON: I am unable to admit the equity of the line drawn in the Bill. Londonderry, with a circuit of agricultural lands around it, will be excluded from the operation of the measure, while Waterford will be included.

(1.45.) The Committee divided:—Ayes 48; Noes 136.—(Div. List, No. 220.)

(1.55.) Amendment proposed, in page 9, line 31, to leave out "county of a city," and insert "municipal borough."—(*Mr. M. Healy.*)

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): We accept that.

MR. KNOX (Cavan, W.): Some Consequential Amendment will be necessary in reference to the proportion of the Irish Probate Duty grant going direct to the borough.

MR. MADDEN: That is a point I have to consider, and it shall be dealt with on Report.

(1.58.) MR. SEXTON: In reference to the principle upon which the line was drawn dividing the towns in the two Schedules, the right hon. Gentleman said last night that if Members desired that the whole of the towns mentioned should be excluded he would be content, and no voice was raised in dissent; nevertheless, he seems to have altogether altered his mind since last night. There are other considerations than population to be taken into account; but if the line is to be drawn according to population, I think it is placed much too high. It would be more reasonable to adopt the

figure in the Redistribution of Seats Act, and exclude those towns having a separate Parliamentary existence. Three, if not four, of the included towns should rank in the 2nd Schedule, and not in the 1st.

(2.0.) MR. A. J. BALFOUR: I do not think the hon. Member has any reason to complain of the course the Government have pursued. Our anxiety has been to draw the line fairly, and while excluding strictly urban communities not to unduly deprive the Guarantee Fund of assistance. I will not go over the ground again. If we begin excluding these cities, there are others that will advance an equal claim, and I think we have drawn the line fairly.

Amendment agreed to.

MR. M. HEALY (Cork): I do not know what view the Government take of the Amendment I now have to propose. The right hon. Gentleman said last night it would receive careful consideration, and perhaps he will now tell us the result of that consideration. I may say at once, although it would apply to the five towns in the 2nd Schedule, that I consider it is unlikely that cities like Dublin and Cork, which are entirely urban in character, would be willing to pledge the credit of their rates to secure the operation of the Act in the rural districts which surround them, but the case I have particularly in mind is Londonderry. There, as everybody acquainted with that part of Ireland knows, there is a large extent of agricultural land included in the municipal borough, the property of the Irish Society, and the Society draws from it a considerable sum in the shape of rent. We all know that the London Companies have gone a great deal lately in the direction of selling their land, and some of them have sold out the whole of their estates, and we may look forward to the day when the Irish Society may find it expedient to do so. In this state of things it is very possible the Corporation of Londonderry might consider it important to the prosperity of their district, as a whole, that the occupiers of this agricultural land should be made owners of their holdings, and they might think such an object cheaply effected by such a sacrifice as might be involved by the pledging of their rates, bringing themselves within the provisions of the Act. Of course, it will be left perfectly voluntary for the Corporation to adopt such a course, and I think it is desirable that they should have the option for the purpose of getting whatever benefits may arise under the Act. Even in the other cities—Dublin, Cork, Limerick, and Belfast—there will be small portions of agricultural land which will be excluded by the Act, but I do not suppose these small holdings would be deemed sufficiently important to justify the pledging of the city rates. Londonderry, however, occupies an exceptional position, and the Corporation should, I think, have the power my Amendment would give.

Amendment proposed,

In page 9, line 34, at the end of the Clause, to insert "Provided that, if the town council of any such municipal borough shall by resolution passed in the prescribed manner so declare, this Act shall apply to such municipal borough in like manner as if such municipal borough were specified in the First Schedule to this Act." —(*Mr. M. Healy.*)

(2.7.) MR. A. J. BALFOUR: I can only say I have no objection to the Amendment; and if it should induce any of the five excluded cities to come voluntarily under the Act, and extend the scope of land purchase, I shall be very glad.

Amendment agreed to.

Question proposed, "That the Clause, as amended, stand part of the Bill."

MR. SEXTON: The 1st sub-section of this clause provides that, where a holding is situated in more than one county, the Land Commission shall, according to the area and value of the holding, determine in which county it shall be deemed to be for the purposes of this Act. Although this appears at the first blush a very reasonable proposition, it may work out unfairly. There may be holdings overlapping along the whole length of the boundary line

of the county, and if the Commission apportion the liability according to the proportion of the holding in a county, the result may be that the burden will be unfairly distributed. I think the provision should be supplemented, and that care should be taken in regard to the whole of the holdings overlapping, so that there should be an approach to an equation. The value of the whole of the holdings should be taken together, and the share of liability should be as near as may be in proportion to the extent of the holdings in a county.

(2.11.) MR. A. J. BALFOUR: I do not think there will be any such difficulty as the hon. Member suggests. The Commissioners will, of course, do justice between counties on consideration of all the circumstances of the overlapping holding, and it is against all probability that all along the line the larger portion of holdings will be on one side. Such holdings will sometimes be mainly on one side and sometimes on the other, and I think we may leave this matter to the discretion of the Commission rather than endeavour to produce an equality by rule. I do not think the scheme of the hon. Member would work unless we were tolerably sure that the whole of the holdings on the dividing line were going to be purchased. Of course, there will be sporadic sales here and there.

MR. SEXTON: It could be done very simply if on each occasion the authority, the Commission, or the Lord Lieutenant, were to have regard to the purchases already effected, and so from time to time keep the balance as between the counties.

MR. M. HEALY: I invite the Attorney General for Ireland to consider whether the Amendment we have made to the latter part of the section will not compel some alteration of the 1st sub-section. The section was originally drawn on the basis of counties of cities, and this reference we have struck out. In addition to considering the question of holdings overlapping counties, we have to consider holdings partly in a municipal borough. In the case of counties, of course both are under the Bill; but in the case of a borough, it is conceivable that the borough might be outside the Bill altogether. Perhaps the right hon. and learned Gentleman will consider this point.

*MR. MORTON (Peterborough): I should like to know what increase there will be in the borrowing powers of a county owing to the alteration made in regard to the five exempted cities?

MR. A. J. BALFOUR: None at all.

*MR. MORTON: There will necessarily be an increase in the Guarantee Fund, and therefore I assume there will be an increase in the borrowing powers. As the Amendment was not on the Paper, we had not an opportunity of considering it closely; but I assume that if an objection to extending exemptions is that it would decrease the borrowing powers, so I suppose an extension of the guarantee would increase the borrowing powers. I should like to know how much these borrowing powers will be increased in these various districts?

(2.16.) MR. SEXTON: I am of opinion the clause is indefensible and unjust. The line drawn between liability and freedom from liability is unreasonable, and the exclusion of Derry from liability in view of the fact that the improvements of the town have been largely effected through the contributions from the Irish Society, which derives its rents from agricultural land there, is grotesque in its unfairness. There are cities like Waterford which are far less connected with the rural population and their prosperity than Londonderry. The limit line of population is drawn far too high, and leaves in the county towns, which have independent existence and interests, quite apart from the rural districts around. The existence of Local Municipal Government does differentiate between them and other towns. If the five exempted cities were not excluded there would be £35,000,000 of Stock instead of £30,000,000, but the inclusion of smaller cities represents, per-

haps, £500,000 between them. I see no method or equity in the division adopted, and so I shall make a protest by division against the clause.

MR. T. LEA (Londonderry, S.): I am a little inclined to agree with the hon. Member as to the inclusion of the City of Derry in the Bill. In the County of Derry the inclusion of the city would doubtless be looked upon with favour, for the county would thereby receive more money for the purposes contemplated by the measure. Whether it would be fair or not to include the city is another question.

(2.23.) The Committee divided:—Ayes 121; Noes 61.—(Div. List, No. 221.)

Clause 9.

(2.30.) MR. SEXTON: The provision made in Sub-section 2 appears to me unusual and inappropriate. The usual course with regard to rules to be laid before Parliament is for the Department to make them and to submit them to the House, letting them lie on the Table for a certain time. Under this clause the House will have no power to deal with them, and legislative power will be delegated to a Department of the State. Another strange provision is that when the rules are once made they cannot be altered without the consent of Parliament, although they are made without such consent.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The hon. Member seems to have missed the point of Sub-section 2. As far as the rules relate to new Stock or the redemption of Stock, it would be unwise and improper that they should be altered without the consent of Parliament. Before the Report stage I will look into the clause, and see whether any change in the wording is necessary, but I think that any provisions with regard to the Sinking Fund should be surrounded with the utmost safeguards.

(2.36.) MR. SEXTON: I move to insert, after "(a)," the words "the Sinking Fund and," so as to give power to make rules with regard to the Sinking Fund.

Amendment proposed, in page 9, line 38, after "(a)," to insert "the Sinking Fund and."—(*Mr. Sexton.*)

Question, "That those words be there inserted," put, and agreed to.

Clause, as amended, agreed to.

Clause 10.

(2.40.) SIR G. TREVELYAN (Glasgow, Bridgeton): In the absence of my right hon. Friend (Mr. H. H. Fowler), I beg to move his Amendment. The Land Commissioners under this Bill will be important Executive Officers. They will be charged with the buying of immense estates. In other cases in which great sums are dealt with nearly all Commissioners hold their offices during pleasure, and are responsible to the Government and Parliament. That is the case with the Fishery Commissioners and the Harbour Commissioners. It was the case with the Army Purchase Commissioners, whose duties were not at all unlike those of these gentlemen. It is the case with the Board of Public Works in Ireland. The Irish Board of Public Works deals with a few hundred thousands a year, the Harbour and Fishery Commissioners with scores or dozens of thousands, and the Army Purchase Commissioners dealt with a total of £7,000,000. Here it is a question of perhaps £60,000,000, extending over a period which the longest lived man in the Committee at the present moment will not see the end of. I do not think Parliament has any right to entrust these immense executive powers to any officers over whom the Government has absolutely no control whatever. I deny that the duties of the Purchase Commissioners are judicial. The duties of the Land Commission have, as far as their purchase functions go, ceased to be judicial and become executive. No country gentleman would allow estates to be purchased for him by an agent over whom he had no control. The Bill does not provide for any executive control whatever over these high officials. They can be removed only by an Address

from both Houses of Parliament, and the Committee know what that means. It means an appeal to a House in which there is no representative of the Irish tenants, while there are many Irish landlords and their friends. Even apart from the connection of the House of Lords with the land, an Address of both Houses is an exceedingly cumbrous method of bringing to bear the animadversion of the Government on bad or corrupt administration. Such animadversion ought to be exercised by the Government of the day. It is, indeed, a mild shape of control that is asked for, because the Lord Chancellor is an Officer standing somewhere between a Member of the Executive Government and a great independent authority.

Amendment proposed,

In page 10, line 8, after the word "perpetual," to insert the words "but it shall be lawful for the Lord Chancellor to remove for inability or misbehaviour any Commissioner other than the judicial Commissioner." — (*Sir George Trevelyan.*)

Question proposed, "That those words be there inserted."

(2.49.) MR. A. J. BALFOUR: I differ from the right hon. Gentleman chiefly in the view which he takes of the functions of these high officials. No doubt they have administrative functions, but the right hon. Gentleman seems to have turned his eyes away from the most striking and important fact connected with land administration in Ireland. The questions at issue have divided classes in Ireland, and have been made the battle-ground of contending political Parties. If we would put between these contending Parties officials whose functions are to be carried out with indifference to both, and with disregard to the passions of either, we must give these officials the fixity of tenure which is given to English and Irish Judges. We give that fixity of tenure to Judges in England and Ireland in order that they may not be influenced in their administration of the law by political passions; yet no political passions which affect those Judges could compare with the passions which animate one or other of the great Parties in Ireland in connection with this question. Those officials may have directed against them the full force of a political organisation, with all its apparatus of newspapers, invective, and abuse. It is from such influences that the Government desire to withdraw those officials. I cannot recommend the Committee to diminish the security which the Government deliberately propose to give to those gentlemen.

(2.54.) MR. SEXTON: This Land Commission with which you are dealing has already existed for eleven years. I think no one would more fiercely resent than the right hon. Gentleman the assumption that these responsible and eminent persons have been influenced by public criticism, or that they are so sensitive as to be afraid of it. It is but right that this House should have control of these officials, but if that cannot be conceded, then they ought, at least, to be under the control of the head of the Commission. These Commissioners cannot be removed save by a joint Address from both Houses, and if there is disagreement between the landlords and tenants, we may be assured that the part of the landlord will be taken in the other House, and that therefore a joint Address will be impossible. It should not be forgotten that it is a grave and perilous step to withdraw from the control of this House men who will have the control of £30,000,000. In the carrying out of a system of such paramount importance to Ireland, you propose to deny both to the people of Ireland themselves and to this House the right to express an opinion as to the manner in which the important functions connected with the office of these Commissioners are discharged. The functions of the Land Commission are not of a judicial character, the judicial functions being discharged by the Judicial Commissioner, who already holds his office under the same tenure as that of the Judges, and whose salary is paid from the Consolidated Fund. In point of fact, the Judicial Commissioner has denied that the other Commissioners have power to interfere with judicial questions, and the other Commissioners have accepted his dictum. Moreover, the lay Commis-

sioners have no judicial training. One of them has been a solicitor, another has been a land agent, another was a superior official in one of the Courts of Dublin where he had no judicial functions to discharge except to record the exercise of such functions, and another is the son of a Judge. Such are the gentlemen who hold the office of Land Commissioners, and I fail to discover anything in their position or training which entitles them to be considered as judicial persons. Their functions are simply administrative. What is it they have to do? They simply say whether or not a piece of land has been correctly valued at a given sum. What is there of a judicial nature in that? Beyond this, the Land Commissioners, so far from occupying a judicial position, will under this Act become personal litigants before the tribunals of the country. Whenever any one fails to pay his annuity, he will have to go before the Courts at the instance of these Commissioners, whose duty it will be to institute process to sell up the defaulter's property on his failing to make good his payments. Was any more absurd argument ever put forward than to say that men performing these functions occupy a judicial position. There is nothing whatever in the public life or position of these Commissioners to justify the proposal contained in this Bill. They have not even to discharge the same kind of functions as fall to the lot of the Lunacy Commissioners and several other Bodies, who, in point of fact, are called upon to perform judicial duties. As to the Lunacy Commissioners, they have at times to discharge functions of the highest judicial importance, because on their decisions the liberty and even the lives of many persons may frequently depend. Indeed, there are few judicial functions more extreme than theirs, except that which is exercised by a Judge in the sentence of death. Then, again, we have the Charity Commissioners, who are charged with judicial functions of the first importance in relation to property. They are called upon to direct how certain properties are to be applied; and in this respect their functions are somewhat similar to those of the Court of Chancery. Again, in the case of the Scotch Crofter Commissioners, the functions exercised are of a much wider description than those of the Irish Land Commissioners, because the Scotch Commissioners have not only the power of fixing the rents, but they have also, on a general view of the proceedings, the power to say whether the arrears of rent are to be enforced, and to what extent they may be reduced. By a mere stroke of the pen the Crofter Commission may wipe out the arrears that have accumulated for 10 years, and this power they have actually exercised in numerous cases. Nevertheless, none of these Bodies, including the last, which is enabled to reduce the incomes of the Scotch landlords by cancelling the debts due to them from their tenants, is withdrawn from Parliamentary review and control. Therefore I say that no argument has been adduced in favour of the withdrawal of the Land Commissioners from the same control; and, in conclusion I submit that there is nothing, either based on past experience or the nature of their functions, which justifies the course the Government are taking with regard to these Commissioners. (3.8.)

(3.30.) MR. MAC NEILL (Donegal, S.): The opposition——

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. MAC NEILL: The opposition of the right hon. Gentleman the Chief Secretary to the Amendment of my right hon. Friend I think justifies the worst surmises of the most hostile critics of the Bill. It is intended that the Land Commissioners, who will have to deal with £30,000,000 sterling, shall be entirely independent of Parliament. The right hon. Gentleman seems to think that these Land Commissioners hold judicial posts. Would he be surprised to hear that this Amendment merely gives the Commissioners the same tenure as that upon which English County Court Judges hold office? I contend that the Land Commissioners will occupy a very similar position. They will act both as Judge and jury, and they will have to exercise an independent judgment upon delicate questions of tenant right. Why should they be put on a different footing? Is it because the Government will use

them for the purpose of inflicting injustice on the people? I know of no case in which a layman is given a position from which he can only be removed by an Address from both Houses of Parliament; I know of few cases in which Judges are given that position. The tenure of irremovability except upon an Address of both Houses of Parliament, is one unknown in the case of colonial or Indian Judges. The right hon. Gentleman cannot surely know what a stigma he is, by anticipation, throwing upon future Lord Chancellors by saying that the interests of these Commissioners would not be safe in their hands. This clause is the most ill-constructed and ill-devised of the whole Bill, and is a mere excrescence. No matter how grossly a man may misconduct himself, it will be impossible to remove him. It is notorious the House would never be able to put in force the machinery of moving an Address to the Crown. The clause ought to have been in the Land Department Bill. Its inclusion in the Land Purchase Bill seems to indicate a design to carry that Bill, and to throw over the Land Department Bill.

(3.44.) MR. H. H. FOWLER (Wolverhampton, E.): I wish to say a few words and to support the Amendment, but not on the ground so ably dealt with by the last speaker. I have no wish by this Amendment (which has been proposed in my absence by the right hon. Member for Bridgeton) to raise again the question of the irremovability of the Land Commissioners. That was discussed three or four weeks ago, and the House then decided that the salaries of these officials should be placed on the Consolidated Fund, and should not appear in the annual Votes. I am now advocating an Amendment with the intention and desire to make the Bill a workable Bill, and I hope my proposal will commend itself to the judgment of all impartial men. I would suggest to the Chief Secretary that it would be in the interests of public business to recognise the Members of the Opposition as entitled to some voice in such a Bill as this before the Committee, and that he should receive Amendments made by them *bonâ fide* to improve the Bill. The Amendment does not provide that the House of Commons shall have the power to remove any official, but that the highest judicial functionary in the land, the Lord Chancellor, shall exercise, with respect to the Commissioners other than the Judicial Commissioner, the powers which Parliament has given to the Lord Chancellor with respect to other judicial functionaries of the Kingdom, excepting the Judges of the High Court. The terms of the Amendment are that it shall be lawful for the Lord Chancellor to remove for inability or misbehaviour any official other than the Judicial Commissioner. I have taken the words from recent legislation, for they are exactly those employed by Parliament in the appointment of the Railway Commissioners—a judicial body as important as the Irish Land Commissioners. These are the terms, too, upon which our County Court Judges hold office. Why in this particular case should we adopt the more cumbrous procedure of an address to the Crown? I do not wish to allude to recent events beyond to suggest, even in the slightest manner, the difficulty which this House might have been in a few weeks ago through lacking power to deal with the contingency which then arose, except by the joint action of both Houses. An Address to Her Majesty from both Houses of Parliament will, under the Bill, be necessary for the removal of a subordinate official who has developed lunacy, or who has been convicted of a misdemeanour or a felony. If the Lord Chancellor cannot be trusted, the office had better be abolished. It is foolish and unbusinesslike to leave a great Department of the State, which will have to deal with a sum of £30,000,000, exposed to the risks and accidents of human infirmity; and if the Chief Secretary will suggest some other tribunal than that mentioned in the Amendment, which will better satisfy the objections of the Government, the Opposition will gladly withdraw their Amendment in favour of the Government's proposal. I did not put in the Lord Lieutenant instead of the Lord Chancellor, in case it might be suggested he would be actuated by political motives.

(3.52.) MR. A. J. BALFOUR: I am animated by no special preferences as to the wording of this or any other clause of the Bill; and the Government have always shown themselves ready to accept Amendments which will improve the measure. Sometimes they have accepted some which they did not altogether approve, but which did not materially injure the Bill. The right hon. Gentleman has very considerately put on one side the topic which has formed the main staple of the speeches: as to whether or not a fixed tenure shall be given to these Commissioners. I will shortly state why I think that the Bill as drawn is better than the Bill as the Amendment of the right hon. Gentleman the Member for Bridgeton would make it. Admitting that the machinery of an Address from both Houses of Parliament is cumbrous, I do not think it would be difficult to work in the cases suggested by the right hon. Gentleman. If a Land Commissioner were to lose his reason, or to be convicted of a fraud, it would not be difficult to get an Address, praying Her Majesty to remove the official, passed through both Houses of Parliament without discussion. In substitution for this process it is proposed to give absolute power to the Lord Chancellor. I do not see why we should not have good Land Commissioners as well as good Lord Chancellors. As a matter of fact, it is impossible to ignore the fact that the Lord Chancellor is always a member of a particular Administration; and there is no ground for supposing that the future course of Irish politics is likely to raise future Lord Chancellors of Ireland further above the influence of Party feeling. I should be very reluctant to hand over, not to this or to that Lord Chancellor, but to Lord Chancellors for all time, whatever might be the mutations of politics—to a partizan and possibly extremely unscrupulous Lord Chancellor—the absolute control of these five Commissioners, who, in their turn, control, not merely the £30,000,000, but the whole of the property of two great contending classes in Ireland. If the right hon. Gentleman can suggest other machinery not open to these objections, the Government will be glad to consider it; but, in the meantime, I cannot think that we are absolved from the responsibility of seeing that, so far as in us lies, be the course of Irish history what it may, the persons to whom we hand over the control of this property should be above the storms and strife of Party politics.

(3.58.) MR. KNOX: Might I point out that this Amendment does not give the Lord Chancellor power over all the Commissioners may do. It merely proposes to give him power to remove a Land Commissioner for misbehaviour. I do not suppose the right hon. Gentleman will contend that at the present moment the Railway Commissioners, or the County Court Judges, or any officials who are subject to the jurisdiction of the Lord Chancellor are incapacitated from doing their work by the fact that the Lord Chancellor can remove them if they become incapable or mad. If a Commissioner happens to be a lunatic the Lord Chancellor will, of course, know it at once. It would not be so with this House. Of course, if it were a case of homicidal mania there would be no difficulty in this House removing him; but supposing there was sufficient method in his madness to make him always give decisions pleasing to the landlords in the other House, how could we get him removed? It is frequently a matter of great difficulty to tell when a man is or is not mentally incapable of acting. Under this clause, however, Parliament will have to decide whether a man in Dublin is or is not mentally incapable. I venture to say that is a preposterous proposal, and I support the Amendment.

*(4.1.) MR. MORTON: I take this to be an important Amendment, which we have a right to press on the Government. I understand it to be also a compromise of a suggestion that will be discussed later on respecting the control of the Commissioners.

MR. H. H. FOWLER: It is no compromise at all.

*MR. MORTON: Well, I should take it to be, because I do not think we are

likely to pass the other proposal. I cannot help thinking that the real objection to the Amendment is that this is a landlord's Bill. The Government desire to appoint Commissioners who will be in favour of the landlords—in fact, to pack the Bench—and then they want to take care that there shall be no power of removing the Commissioners for favouring the landlords.

(4.5.) SIR H. JAMES (Bury, Lancashire): The question whether the Commissioners are in favour of the landlords or not can in no way touch the merits of the Amendment, which deals only with cases of inability or misconduct. I support the Amendment, and I would appeal to the Government to re-consider their decision. Practically, I do not regard it as a very important matter, because I believe that there would be very few cases of inability or misconduct to be dealt with. The present jurisdiction of the Lord Chancellor has very seldom been exercised. The Chief Secretary assumes that there will be good Land Commissioners; and the Amendment deals only with the contrary of that assumption. How can the House of Commons deal with inability or misconduct? We cannot take evidence at the Bar, and we have no means of inquiry. There are no means by which oral or written testimony can be received and weighed, and the House will have to depend largely on newspaper statements. Can there be a more fitting tribunal than that constituted by the Lord Chancellor? I have always objected to popular control over Judges. The Lord Chancellor would under this Amendment sit in his judicial capacity. The Chief Secretary spoke of a partisan Lord Chancellor. I do not believe any Lord Chancellor, especially in recent times, has ever shown partisanship in the discharge of duties of this kind. The Lord Chancellor will be able to take evidence, to listen to both sides, he will be able to know what the accused says and consider the whole matter. I appeal to the Chief Secretary to mention one Lord Chancellor in Ireland within his knowledge who has faltered in the discharge of his duty. I do not think the phrase "partisan Judges" is a well considered one. For my part, I would rather have no tribunal to discharge this duty than men sitting on either Bench in the House of Commons.

(4.12.) MR. A. J. BALFOUR: I have already stated the reasons which I thought, and still think, in spite of the speech of the right hon. and learned Gentleman, compel the Government not to accept the Amendment as it stands. I have also stated that the Government have no prejudice in favour of the particular words of the Bill, but we are anxious to do what we can to meet what we recognise as a perfectly legitimate object. The effect of the speech just delivered is that it is possible to prophesy with confidence as to the future history of Ireland during the next 49 years, and that it is certain that every Lord Chancellor of Ireland for a generation and a half will maintain the same high standard of character as has been maintained by Lord Chancellors in the past. I am utterly unable to look forward with confidence to the same extent as the right hon. and learned Gentleman. But I admit again that the procedure of a Resolution passed by both Houses of Parliament to the Crown, praying for the dismissal of an official, is cumbrous, and that it is, perhaps, well we should look for some more practical method. What I suggest is that we should add to the Amendment the words—

"Every order for removal shall state the reasons for which it is made, and no such order shall come into operation until it has lain before both Houses of Parliament for not less than thirty days, nor if either Houses passes a Resolution objecting to it"

—that will effect the object I have in view. It will not secure the object of the hon. Gentleman the Member for Donegal (Mr. MacNeill), but I believe it will partially effect the object of the right hon. Gentleman the Member for Wolverhampton. In the interest of peace and the progress of business I suggest the Amendmept. I cannot accept the Amendment of the right hon. Gentleman unmitigated by the addition I now propose, but in that addition the object of the right hon. Gentleman and my object may be adequately attained.

(4.17.) MR. H. H. FOWLER: I do not wish to revive the controversy between the right hon. and learned Gentleman

the Member for Bury and the Chief Secretary as to the partisanship of future Lord Chancellors, but I must say while the Chief Secretary takes a pessimistic view of Lord Chancellors of the future he takes an optimistic view of Land Commissioners. I am quite prepared to accept the right hon. Gentleman's Amendment.

Amendment proposed to the proposed Amendment,

To add the words, "Every order of removal shall state the reasons for which it is made, and no such order shall come into operation until it has lain before both Houses of Parliament for not less than thirty days, nor if either House passes a resolution objecting to it."—(*Mr. A. J. Balfour.*)

Question proposed, "That those words be there added."

(4.20.) MR. CHANCE (Kilkenny, S.): I appeal to the right hon. Gentleman the Member for Bury as to whether he is prepared to accept the proposed addition to the Amendment. The effect of the original Amendment is that the matter shall be taken from the region of politics, but the Amendment proposed by the Chief Secretary will, if carried, have this effect: that even if the Lord Chancellor has honestly and fairly exercised the judicial functions cast upon him by the Bill, his action is to be subject to the review of the House of Commons. The Amendment of the Chief Secretary introduces an absolutely new principle in regard to the position of the highest judicial functionary in the land, that principle being that the action of a Judge in an exceedingly delicate matter shall be subject to be canvassed in the House of Commons, and the House shall have the opportunity, in ignorance of the facts of the case, of expressing an opinion upon his action.

MR. MAC NEILL: With great respect to the right hon. Gentleman, I think every word I have said with reference to the constitution of the Commission is justified. This is simply a contrivance to enable public money to be divided amongst the supporters of the present Government, and I shall not fail to express my opinion upon every English platform I speak from.

MR. CHANCE: I again appeal to the right hon. Gentleman the Member for Bury as to whether he is inclined to accept an Amendment which lays down the principle that the proceedings of the highest legal functionary in the land is to be subject to the review of this House.

(4.25.) SIR H. JAMES: I gladly accept the Amendment of the Chief Secretary. The Lord Chancellor will take evidence, and the facts he ascertains will be laid before the House.

MR. M. J. KENNY: May I suggest to the right hon. Gentleman that instead of "resolution of either House," the clause should read "resolution of both Houses"?

(4.27.) The Committee divided:—Ayes 201; Noes 73.—(Div. List, No. 222.)

Question proposed, "That the Amendment, as amended, be there inserted."

*(4.40.) MR. MORTON: I entirely object to the Amendment as amended. The right hon. Gentleman the Member for Bury objected to my introducing landlords into the Debate, but the only effect of this proposal will be to give the House of Lords, as a house of landlords, a power which they would not possess under the clause as originally drafted by the Government.

(4.42.) The Committee divided:—Ayes 209; Noes 62.—(Div. List, No. 223.)

Verbal Amendment agreed to.

(4.55.) MR. KNOX: I have now to move the Amendment which stands in my name, namely, in line 2, after the word "Commissioner," insert "appointed under the Purchase of Land (Ireland) Act, 1885." I think that this is a fitting occasion for protesting against the course taken by the Government in inserting in this clause a provision which concerns Commissioners other than those under the Act of 1885, although in every other clause of the Bill where the Land Commissioners are spoken of, the reference made is to Commissioners appointed under that Act. Under the Act of 1885 two Commissioners were appointed, who were

to discharge the business connected with land purchase subject to the appointment of other Commissioners from time to time. In this Bill, with which is amalgamated the other Acts, the same rule of construction applies, so that wherever the phrase "Land Commission" is used, it means the Land Commission acting through Mr. M'Carthy and Mr. Lynch. In the discussion which took place before the House went into Committee, on the Resolution upon which this Bill was based, this point was referred to, and I think that now the sense of the Committee ought to be taken on a method of draftsmanship, which is the reverse of frank and open towards this House. The result has been that it is almost impossible for anyone not familiar with all the details of the preceding Acts to know what the Committee is really doing in passing this clause, wherein one phrase is used in a totally different sense from that in which it is used elsewhere. I, for one, strongly protest against the proposal to give a different tenure to men who really have no more to do with land purchase than any ordinary Member of this House. Mr. Wrench and Mr. Fitzgerald, the Commissioners appointed under the Act of 1881, are fully engaged in fixing judicial rents and hearing appeals to fix judicial rents. They get through about 250 cases every month, and they have now about 6,000 cases to dispose of. It will take them a long time to get through these arrears. They have nothing, in the meantime, to do with land purchase in any way. That is entirely in the hands of the two Commissioners appointed by a Conservative Government at a time when that Government was not indifferent to the support it might expect to receive from those who sit in this part of the House. Now, however, when apart from a small section of those who occupy these Benches, the present Conservative Government cannot expect to get any similar support, the official position given to Mr. M'Carthy and Mr. Lynch is to be revised. I venture to protest against this course. I say we do not object to a proper change in the *status* of the Land Purchase Commissioners when land purchase is made a permanent scheme, but we do object to introducing into that permanent scheme a provision which has nothing to do with land purchase, and which is to give Mr. Wrench and Mr. Fitzgerald, by a side wind as it were, a position it would not have been thought necessary to give them if it were not that the Government know that Mr. Wrench and Mr. Fitzgerald are, perhaps, the most unpopular officials in Ireland, and would be the very first after a General Election, when another Government is in Office, to be dismissed in accordance with the general wish of the vast mass of the Irish people.

Amendment proposed,

In page 10, line 8, after the word "Commissioner," to insert the words "appointed under 'The Purchase of Land (Ireland) Act, 1885.'"—(*Mr. Knox.*)

Question proposed, "That those words be there inserted."

(5.8.) MR. SEXTON: I must say that I am very much astonished that the right hon. Gentleman the Chief Secretary should treat with silent contempt the moderate arguments used by my hon. Friend in proposing this Amendment. This is a Land Purchase Bill which proposes to develop the arrangements for the purchase of land in Ireland. If it were proposed to make a reasonable alteration in the tenure of office on the part of the Commissioners by this clause we should not say the Government are going beyond their right. But seeing that the purchase system is being extended, developed, and made permanent, we say that you ought not to propose to alter in the most important manner the tenure of Commissioners who have nothing whatever to do with the purchase of land. You are now endeavouring to drag into this Bill officials who have no place whatever in this clause. This would be sufficiently strange and unjustifiable if there were no other Bill on the subject before the House; but the fact is, that there is another Bill, which has already passed its Second Reading, which proposes to alter the Land Department in an exhaustive manner, and is now awaiting its further stages. It is in that measure, and not in the Bill now before the House, that the Government

should deal with officials who have nothing to do with this subject. On these grounds I object to the proposal made by the Government, and submit that the Amendment of my hon. Friend is a reasonable one, and ought to be accepted by the Committee.

(5.10.) The Committee divided:—Ayes 97; Noes 157.—(Div. List, No. 224.)

MR. KNOX: The Amendment I have now to move is one which will commend itself to the House on the ground of its reasonableness and prudence, and because it is in accordance with precedent. I propose that the same course shall be followed in the cases of Judges of the Land Commission as is followed in the cases of Judges in Bankruptcy.

Amendment proposed, in page 10, line 11, to leave out the words "and his salary shall be paid out of the Consolidated Fund."—(*Mr. Knox.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. SEXTON: I think there should be some reply to my hon. and learned Friend before we go to a Division, and that an Amendment of this importance should not be treated with contempt. These Commissioners are to have extraordinary functions, and it is right that this House should have some control over them.

MR. A. J. BALFOUR: When the hon. Gentleman was speaking I was endeavouring to arrange a circular dealing with the very matter as to which the hon. Member expressed so much anxiety. Let me point out, too, that the hon. Member began his speech by saying that he moved the Amendment as a protest. I do not think it necessary to occupy the time of the House in dealing with protests as to a matter the arguments upon which have been thoroughly threshed out. The hon. Member admitted, too, that the arguments had been so fully stated at an earlier stage that he did not think it necessary to repeat them.

Mr. Sexton

MR. KNOX: I referred then to the arguments in favour of the Motion. I said that they had been fully stated by the right hon. Gentleman the Member for Wolverhampton. But I did not think the Chief Secretary had sufficiently replied to them.

MR. A. J. BALFOUR: I consider that my own arguments were also amply stated; and if the hon. Member, on the one hand, is absolved from the necessity of repeating those in favour of his case, surely I am entitled to a like absolution. If this Amendment were accepted, the fixity of tenure which Parliament has decided should be conferred on these officials would become absolutely nugatory.

(5.27.) MR. M. J. KENNY: I challenge the Attorney General to give any instance in which office is held under these conditions except that of Judges of the High Court.

The Committee divided:—Ayes 157; Noes 93.—(Div. List, No. 225.)

It being half-past Five of the clock the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again to-morrow.

PARLIAMENTARY FRANCHISE (EXTENSION TO WOMEN) BILL—(No. 21.)

Order for Second Reading read, and discharged.

Bill withdrawn.

BRINE PUMPING (COMPENSATION FOR SUBSIDENCE) (*re-committed*) BILL.—(No. 296.)

As amended, considered; read the third time, and passed.

PUBLIC PETITIONS COMMITTEE.

Fourteenth Report brought up, and read; to lie upon the Table, and to be printed.

House adjourned at a quarter before Six o'clock.

HOUSE OF COMMONS,

Thursday, 14th May, 1891.

QUESTIONS.

COURTS OF QUARTER SESSIONS.

MR. TALBOT (Oxford University): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the Return recently issued of all boroughs having a separate Court of Quarter Sessions, with the number of prisoners tried at each Court during the last three years, whereby it appears that in three boroughs no prisoners were tried during the three years, in some only one prisoner, and in many others not more than an average of one or two yearly; and whether he will consider the propriety of gradually bringing this inconvenient system to an end?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): My attention has been drawn to this Return, from which it appears that there are not a few boroughs in the fortunate position of having very little crime, and consequently very little to do for their Recorder and his officials. Boroughs having less than 10,000 inhabitants are enabled under the Local Government Act by petition to obtain a revocation of the grant of Quarter Sessions. I have invited some boroughs to avail themselves of this provision. Some have done so: others have preferred to retain an ancient jurisdiction to which they are attached.

HONORARY COLONELCIES.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War how many honorary Colonelcies still exist in respect of which pay is drawn, and what is the amount so drawn annually?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): My hon. Friend will find the information at page 96 of the Army Estimates. There are still 96 honorary colonels of regiments, whose pay amounts to £100,863.

GOVERNMENT STOCKS.

MR. O. V. MORGAN (Battersea): I beg to ask the Postmaster General whether, in consequence of the greater publicity given during the last two years to the fact that the public can purchase Government Stocks through the Post Office, there has been any increase in the amount invested since 1889; whether of late there has been any active demand for the official publication known as *Aids to Thrift;* whether he will direct every postmaster to hand to every depositor in the Post Office Savings Bank, each time a book is made up, a copy of the conditions on which investments in Government Stocks may be made; and whether the public can at present purchase Two and a Half per Cent. Stocks at about 5 per cent. below par, thus giving the investors 5 per cent. higher rate of interest than is obtainable on deposits at the Post Office Savings Banks?

THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): I am glad to say that the investments in Government Stock through the Post Office in the year 1890 did show an increase over those made in the year 1889 by £120,000. There is no active demand for *Aids to Thrift*, which is now obsolete owing to the various changes in the savings bank system. The bulk of the information contained therein is included, however, in the *Post Office Hand Book*, which can be purchased at any post office for 1d. Information as to Stock investments is given in each deposit book, and notices on the subject are exhibited at all post offices. I shall be glad again to consider whether it is practicable to take any further steps in this direction. The Stock purchased through the Post Office Savings Bank is, of course, purchased at the current price, so that if the Stock is now 5 per cent. below par it would be purchased at 95; but the conclusion that this would give the investor 5 per cent. higher rate of interest, though I fancy I can conjecture what the hon. Member means, is, I think, stated in a form which may lead to misapprehension.

POSTAL ARRANGEMENTS IN THE ISLAND OF MULL.

DR. CAMERON (Glasgow, College): I beg to ask the Postmaster General whether his attention has been called to the dissatisfaction caused throughout the Island of Mull, and evidenced by an indignation meeting at Tobermory and complaints from other parts of the district, occasioned by changes in the local postal service, introduced, or about to be introduced, in connection with the improvement of that service in the West Highlands; and whether he will have the matter investigated with a view to securing the population of that and adjacent islands against the deterioration of postal communication, of which they complain?

MR. RAIKES: I think the hon. Member refers to a suggestion that the steamer from Oban for Tobermory should call at Croggan. But no such change has been made, nor have I the intention of making it, or any other that would delay the delivery of the mails by the steamer at Tobermory or Oban.

THE BIRKDALE LOCAL BOARD.

MR. H. J. WILSON (York, W.R., Holmfirth): I beg to ask the President of the Local Government Board whether his attention has been called to alleged irregularities and frauds in connection with the last election of the Birkdale Local Board; whether, in one instance, the voting paper of a Mr. Taylor was filled up and signed after he had left the town, and that he has since declared the signature to be a forgery; whether, in other cases, the names of persons who had sold their property or were dead were retained on the owners' register, in spite of such person having been objected to; and whether the voting papers for such persons were filled up and returned, and in some instances the votes counted, in spite of the written protest of a ratepayer, Mr. Alfred Smith, of 95, Eastbourne Road, and notwithstanding new claims having been allowed (in some instances) for the rightful owners of the same property; and whether the Local Government Board can take any action in the matter, or can communicate with the Local Board, with a view to an inquiry being held; and, if not, who is the proper person to appeal to in the matter in the event of the Local Board refusing to examine into the matter.

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I have communicated with the Clerk to the Local Board, and am informed that Mr. Taylor has written stating that no voting paper was signed by him, although a voting paper had been filled up in his name. I am also informed that Mr. Alfred Smith made a protest against the votes of certain owners of property being recorded on the ground that the names should have been removed from the owners' register. The protest applied to 11 persons, of whom four only voted. Whether the names of those who voted were properly retained on the register after revision is a question upon which I can, of course, express no opinion. The Local Government Board have no authority whatever under which they can interfere in connection with the election of the members of a Local Board. As regards the alleged forgery of a voting paper, this is a penal offence, for which a person is liable to fine or imprisonment. If it is alleged that there are other irregularities affecting the validity of the election, the means of determining the question are provided by the Municipal Elections (Corrupt and Illegal Practices) Act, which provides, in the case of a Petition, for an inquiry by an Election Commissioner.

THE CONSCIENCE CLAUSE.

MR. SUMMERS (Huddersfield): I beg to ask the Vice President of the Committee of Council on Education whether the teaching of such catechisms as "A second catechism for the children of the Church, issued by the Church Extension Association," in a public elementary school in a country district in which no other school than a Church of England school exists, is a violation of the letter and spirit of Clause 8 of the Education Act of 1870, which requires that the education shall be efficient and suitable for the children of the district; whether the Education Department has power to refuse grants of public money to schools so situated in which such catechisms are taught; and, if it has the power, whether it will exercise it?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I am not aware, as I have already stated, that the catechism mentioned is used in any public elementary school; but the hon. Member ought to know that every such school is *ipso facto* efficient and suitable within the meaning of the Statute. It follows, therefore, that the Education Department has no power to refuse a Parliamentary grant to a school on the strength of any catechism that may be taught during the hours set apart for religious instruction, provided that the Conscience Clause is not violated; and the right of parents to withdraw their children from such instruction is scrupulously respected.

In answer to a further question from Mr. SUMMERS,

SIR W. HART DYKE said: The Department has no right to refuse a grant to a school on such grounds, provided the Conscience Clause is not violated.

MARKET RIGHTS AND TOLLS.

MR. PICTON (Leicester): I beg to ask the President of the Local Government Board if he is aware that there exists in many parts of the country much anxiety to know whether action will be taken by the Government in consequence of the evidence taken and the conclusion arrived at by the late Royal Commission on Market Rights and Tolls; if he is aware that inquiries have been made from Dundee, Carlisle, and other towns having transit tolls or landing dues as to the probable effect of the recommendations of the Commissioners on that subject; and if, in view of the prevalent uncertainty as to the future of market monopolies, he will seek an early opportunity of stating the intentions of the Government?

*MR. RITCHIE: I have no information as to the inquiries which are referred to in the question, and I cannot give a more definite reply than that given by me to the previous question of the hon. Member. I may, however, state that there is no intention on the part of the Government to propose legislation on this subject during the present Session.

POSTMASTERSHIPS.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the Postmaster General whether appointments to postmasterships, where the salary is over £120 a year, are made upon the principle of selecting the most fitting man in the Service, having regard to rank and seniority, and without inviting the acceptance of the post before consulting the head officials at the post office in which the person so invited is employed; whether the practice has been to give notice in the weekly Official Circular of vacancies in postmasterships, so as to give an opportunity to those in the Service of sending in applications, and if such practice is still in force; and, if not, when it was discontinued; and whether it is intended to place appointments to postmasterships below £120 a year upon the same basis as those with salaries above that amount?

MR. RAIKES: Appointments to postmasterships are made on the responsibility of the Postmaster General, who takes such steps as he may judge proper in order to satisfy himself as to the qualifications of the person selected. It is, I think, obvious that the official superiors of any nominee must be consulted before he is offered office. The practice of announcing vacant postmasterships in the Post Office Circular and inviting candidates remains in force. In fact, there are four vacancies under advertisement at the present moment. There is no intention of discontinuing the practice, although, where circumstances appear to require it, I shall not insist upon the inconvenience caused by the long delay involved in advertisement. Neither is there any intention of altering the practice in the case of postmasterships with salaries immediately below £120.

MESSENGERS, &c. IN PUBLIC OFFICES.

MR. A. O'CONNOR (Donegal, E.): I beg to ask the Secretary to the Treasury whether any decision has yet been arrived at with regard to the proposed allowances to messengers, doorkeepers, and porters in the public offices in which the official hours have been extended from 6 to 7, and in which the clerks, who are required to give increased attendance, have received an increase of salary?

A LORD OF THE TREASURY (Sir H. MAXWELL, Wigton): It does not follow that where the hours of clerks are extended the attendance of messengers is necessarily increased; but the Treasury has occasionally allowed an addition to the salary of messengers, &c., when they have been called upon to give *bonâ fide* extra attendance; and if cases are brought before the Treasury they will be carefully considered.

REVISION OF VOTERS' LIST.

MR. A. O'CONNOR: I beg to ask the President of the Local Government Board whether it is the practice in England, both in counties and cities, to return upon the lists for revision of voters the names of persons who are qualified by the occupation of houses in immediate succession; whether there is any difference between the practice in boroughs and counties in this respect; and whether information is taken by the Clerks of the Peace and Town Clerks, respectively, from parties who have changed their residences, so as to save them having to attend to prove claims?

*MR. RITCHIE: Persons known by the Overseers to be qualified by successive occupations, the last of which is in their parish, should be included in the occupiers' list of voters in the case of counties, as well as in boroughs. Under ordinary circumstances, however, the Overseers are only able to do this when the successive occupations have been of houses in the same parish, as they have no information as to the occupiers having occupied houses elsewhere. In such cases it would be necessary that the person should send in a claim. This must more frequently happen in counties than in boroughs, as the number of parishes in a county, or division of a county, is usually much larger than in a borough. I am not aware that it is the practice of Clerks of the Peace and Town Clerks to take information in the case of a person claiming to be upon the register in respect of successive occupations, so as to relieve him from the necessity of substantiating his claim in the event of objection. A declaration can, however, be received where the objection is merely on the ground of inaccuracy of the list as to place of abode.

CENSUS ENUMERATORS.

MR. BOULNOIS (Marylebone, E.): I beg to ask the President of the Local Government Board when the enumerators who were employed in the recent Census will receive payment for their services?

DR. CAMERON: I beg also to ask whether the enumerators employed in connection with the recent Census have been paid for their services; and, if not, when may they expect payment?

*MR. RITCHIE: The number of enumerators employed in the recent Census was 40,000. Their claims cannot be paid until they are duly certified by the Local Registrars of Births and Deaths, and afterwards by the Superintendent Registrars, through whom all payments to Census officers are made. There are 632 registration districts. In 374 all claims of local officers are paid, and the remainder are being paid at the rate of about 40 per day. It is anticipated that the whole of the claims will be paid in about a fortnight.

SIR PETER EDLIN.

MR. BOULNOIS: I beg to ask the Secretary of State for the Home Department whether the trial of appeals, under "The Valuation (Metropolis) Act, 1869," is a portion only of the additional work imposed upon Sir Peter Edlin, as Chairman of the London Quarter Sessions, by "The Local Government Act, 1888," after 17 years' previous judicial service; whether, in the opinion of the Government, it is just and fair that he should be subjected to this heavy increase of labour, after such long prior service, without additional pay; and more especially as, unlike every other Judge performing similar duties, he is not entitled to any pension; and whether it is a fact that the Secretary of State has declined to sanction the salary that the London County Council proposed to pay, thus leaving this important office entirely unremunerated for two years past.

MR. MATTHEWS: Sir Peter Edlin has, no doubt, performed additional work with respect to rating appeals and otherwise; but for this the Local Government Act provides some relief by enabling additional Courts of Quarter Sessions to be held. The amount of salary is a matter

left by the Act to the County Council. I have no power to increase what they propose, and, therefore, I do not feel called upon to express any opinion on the subject. It is at the request of Sir Peter Edlin, and after communication with members of the County Council, that I have delayed sanctioning the proposal of the County Council.

INDEX TO CONSULAR AND DIPLOMATIC REPORTS.

MR. KNOWLES (Salford, W.): I beg to ask the Under Secretary of State for Foreign Affairs whether it is intended to issue a continuation of the index to the Consular and Diplomatic Reports which was issued in 1889 for the years 1886-8; and whether he will consider the possibility of presenting such an index annually?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): A continuation of this index will shortly be printed, and the desire for its annual publication will be borne in mind.

CONSTABULARY SICK PAY.

MR. COBB: I beg to ask the Secretary of State for the Home Department whether during the influenza epidemic of last year full pay was granted in every case which was specially recommended by the police surgeon to constables of the Metropolitan Police Force who were absent from being attacked; whether an order has been made by the Chief Commissioner of Police, under which 1s. a day is deducted from the pay of constables who are now absent in consequence of influenza, although their cases are so specially recommended; and whether he will give directions so that the constables may be treated in the same way as to sick pay as they were during last year's epidemic?

MR. MATTHEWS: Yes, Sir; full pay was granted last year in those cases in which it was recommended by the divisional surgeons, and endorsed by the superintendents of divisions. No special order has been made by the Commissioner on the subject, and it will not be necessary to issue any directions in the matter, as—the circumstances being the same—the same practice will be followed as last year.

TRAMWAYS ACT, 1870—ROAD REPAIR.

MR. HOBHOUSE (Somerset, E): I beg to ask the President of the Board of Trade if, in a county where the County Council make a yearly contract with the Highway Boards for the repair of the main roads, any other consent than that of the County Council is necessary under Section 4 of "The Tramways Act, 1870," before an application can be made for a Provisional Order for making a tramway over main roads in a rural highway district?

*THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth) (for Sir M. HICKS BEACH): In a case such as that referred to by the hon. Member—where the main roads are vested in the County Council, but kept in repair by the Highway Boards under agreement with the County Council—the Board of Trade would probably accept the consent of the County Council as sufficient evidence of the consent of the Road Authority to a Provisional Order under the Tramways Act, 1870. The hon. Member is doubtless aware that the consent of the Local Authority as well as of the Road Authority is required by the Act.

CIVIL EMPLOYMENT OF RETIRED NON-COMMISSIONED OFFICERS.

MAJOR RASCH (Essex, S.E.): I beg to ask the Secretary of State for War whether he is aware that a Resolution was passed in 1883, in the House of Lords, in favour of appointing non-commissioned officers to subordinate posts in that House; and whether he is prepared to support a similar proposal for the House of Commons?

*MR. E. STANHOPE: The Resolution referred to was no more than an Instruction to a Committee of Inquiry, and was not restricted to any particular rank. The outcome of the Instruction was a recommendation by the Committee in 1884 that—

> "In future in making appointments in the Department of the Gentleman Usher of the Black Rod, preference should be given to persons who have served with credit in the Army, Navy, and Marines, or some other Department of the Public Service."

If a similar Rule can be carried out in this House, so as to aid in giving employment to deserving soldiers in

capacities for which their training suits them, it will certainly have my warm support.

EDUCATIONAL ENDOWMENTS, SCOTLAND.

SIR G. TREVELYAN (Glasgow, Bridgeton): I beg to ask the Lord Advocate whether he will grant a Return of the amount of endowments in Scotland which are at present applied to secondary and higher education, apart from University education?

*THE SOLICITOR GENERAL FOR SCOTLAND (Sir C. PEARSON, Edinburgh and St. Andrews Universities): The right hon. Baronet will find a statement of the estimated amount of endowments in Scotland, and their application, as drawn up by the Endowed Schools Commission of 1872, on page 239 of the 3rd Report of that Commission. He will also find a Return of the endowments dealt with in the schemes of the recent Educational Endowments Commission on page IX. of the 7th Report of that Commission. From the latter statement considerable deductions would have to be made in respect of schemes which did not receive the approval of Parliament. To give the Return asked for by the right hon. Gentleman would not only involve minute and lengthy inquiry into all endowments of any kind, but would also add very little to the information now available.

DENBIGHSHIRE CHARITY ENDOWMENTS.

MR. THOMAS ELLIS (Merionethshire): I had intended to ask the hon. Member for the Penrith Division (Mr. J. W. Lowther) whether the Report of the Charity Commissioners on the Charitable Endowments of Denbighshire, which was promised for presentation soon after 30th April of last year, and the Return for which was ordered by this House on 8th December, 1890, is ready for publication; and, if not, how soon it may be expected; whether he can state from what County Councils in Wales requests for similar Reports for their counties have been received by the Charity Commissioners; and whether such requests have been, or are about to be, granted, but, in the absence of the hon. Member, I will defer it?

Mr. E. Stanhope

FREE SCHOOLS.

MR. THOMAS ELLIS: I beg to ask the Vice President of the Committee of Council on Education whether the Bill embodying the proposals of the Government relating to free schools will be introduced before the Whitsuntide Recess?

SIR W. HART DYKE: In the present state of Public Business it is impossible to say when the Bill will be introduced.

PORTUGUESE IN AFRICA.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for Foreign Affairs whether it is the fact, as stated in the newspapers of 12th May, that the *modus vivendi* between this country and Portugal, as respects the disputed regions in South East Africa, has been extended from 15th May; and, if so, for what period?

*SIR J. FERGUSSON: It has been agreed to extend the *modus vivendi* for one month.

VOLUNTEER OPERATIONS AT WHITSUNTIDE.

MR. FRANCIS EVANS (Southampton): I beg to ask the Secretary of State for War whether it is true that the mobilization of the Volunteers, for the purpose of testing the value of the defences of Portsmouth and the Solent, which had been fixed for Whitsuntide, is postponed; and, if so, until what date; and whether, in view of the great disappointment which this proposed postponement has occasioned to many working men who have been working overtime especially to secure leave, he will state whether it is true that the Admiralty have definitely refused to co-operate with the Volunteers on this occasion, and so caused the postponement of the mobilization?

*MR. E. STANHOPE: Certain contemplated experimental drills at Whitsuntide in the southern district have been abandoned for the present in consequence of the Navy being unable to furnish as much co-operation as was required. I am afraid that no period for these drills can now be fixed.

FACTORY AND WORKSHOPS BILL.

MR. H. H. FOWLER (Wolverhampton, E.): I beg to ask the Secretary of

State for the Home Department what were the number of Members constituting the Standing Committee on Trade on the Factory and Workshops Bill; and what were the greatest and smallest numbers of Members voting in any Division on that Bill?

*MR. MATTHEWS: I have no information at my disposal other than that possessed by the right hon. Gentleman himself, and open to every Member of the House to ascertain for himself from the Votes.

CUSTOMS CLERKS.

MR. BOWLES (Middlesex, Enfield): I beg to ask the Secretary to the Treasury whether two Upper Division clerks in the Statistical Department of Her Majesty's Customs have recently been promoted to the principal clerks, thus causing a total of five vacancies on the Upper Division, to which no promotion has been made since 1885; whether he is aware that this prolonged stoppage of promotion is giving rise to grave discontent in the Department; what is the cause of delay in completing the reorganisation on the seven hours scale; and when the scheme will be brought into full effect?

SIR H. MAXWELL: The Commissioners of Customs are in receipt of the decision of the Treasury as to the promotions to be made in the Statistical Department of the Customs, and there will be no delay in carrying them out. The adoption of the seven hours system throughout the office is contingent on a reduction of staff which can only be effected gradually as vacancies occur.

COMPLAINT AGAINST THE POLICE—CASE OF MR. MAC SHEEDY.

MR. NOLAN (Louth, N.): I beg to ask the Secretary of State for the Home Department whether Police Constable Webb (J. 173) entered Hague Street Boys' Board School, Bethnal Green, E., on 13th April last, and asked the assistant master, Mr. Mac Sheedy, to accompany him to the police station to see the superintendent about a statement made by the mother of a pupil, that he had slapped the latter with his hand; whether, on Mr. Mac Sheedy's arrival at the station, Sergeant Rall (J.R. 5) had him placed in the dock, and asked the mother of the boy to charge him with assault whether Mr. Mac Sheedy was detained in custody for two hours with a prisoner charged with attempted suicide; whether he was marched under police escort through the streets past his school to the Police Court, Worship Street, and imprisoned in a cell there for one hour and twenty minutes; whether, during all this time, he was denied an opportunity of communicating with his friends; whether the Magistrate, on hearing the case against him, immediately released him on his own recognisances, to appear the following day; and whether the police acted in this case in accordance with their instructions; and, if not, why they departed from them in their treatment of Mr. Mac Sheedy?

*MR. MATTHEWS: The Commissioner of Police reports that the constable went to the school in question with the mother of the boy, who had expressed her intention of prosecuting the schoolmaster for assault. The constable asked the accused if he would come to the station. The schoolmaster consented to do so. On his arrival, as the mother adhered to her intention to prosecute, he was placed in the dock, and the charge read over to him. He then asked that his keys might be taken back to the school, and the authorities informed. While this was being done, he was detained in the Reserve Room for 20 minutes. A convalescent from the hospital, who had a fortnight previously attempted to commit suicide, was under detention at the same time. The constable then walked with the accused to the Police Court by the direct route, which passes the top of Hague Street. He was there detained in the waiting room for about an hour. He was not denied the opportunity of communicating with his friends. The Magistrate, after hearing the evidence, adjourned the case till the following day to enable the accused to call witnesses, releasing him meanwhile on his own recognisances. The following day the defendant was fined 40s. and costs for the assault. The police acted on no special instructions, but followed a practice not unusual when the defendant consents.

DRUNKENNESS IN THE METROPOLITAN POLICE DISTRICT.

MR. ROWNTREE (Scarborough): I beg to ask the Secretary of State for the

Home Department if his attention has been called to the fact that the number of persons apprehended for drunkenness and disorderly conduct in the Metropolitan Police District has risen from 20,658 in 1887 to 27,358 in 1889, whilst the average number of summonses against "Drink Houses" for the same period has been 146; and if any fresh instructions have been given to the police since 1870 to account for the great falling off in the number of summonses against these houses in years in which drunkenness has, according to the police statistics, largely increased?

MR. MATTHEWS: I am informed by the Commissioner of Police that no fresh instructions have been issued to the police as to arrests of drunken persons in the Metropolis since 1870. A falling off in the number of summonses against public houses was explained in the Commissioner's Annual Report of 1871, wherein it was stated to be attributable to the satisfactory working of the Wine and Beerhouse Act, 1869, and the Prevention of Crimes Act, and to the proposed legislation in reference to licensed houses, which, no doubt, rendered proprietors more careful.

MR. ROWNTREE: I beg to ask the Secretary of State for the Home Department if it is correct that in March, 1890, Mr. Albert Backert, of 13 Newnham Street, Whitechapel, called the attention of two policemen on duty (258 and 567 H D) to the fact that 13 men were being served with liquor at the "Coach and Horses," High Street, Whitechapel, after 1 o'clock a.m.; if the police declined to take any notice of the information; if Mr. Backert then wrote to the Commissioner of Police, and if an Inspector subsequently called on Mr. Backert and urged him to let the matter drop; and if he will inquire as to the necessity for a more vigilant administration of the laws for checking drunkenness in some of the Police Districts of the Metropolis?

MR. MATTHEWS: The answer to the first paragraph is in the affirmative; and to the second paragraph in the negative. The police entered the house. Mr. Backert wrote to the Commissioner, and I am informed that an inquiry followed which showed that there was no evidence on which proceedings could be taken. The men appeared to be personal friends of the landlord. The Chief Inspector called on Mr. Backert and informed him that an inquiry had been made, and that the police did not intend to take action. The Commissioner of Police assures me that every effort is made by the police to check drunkenness, and to enforce the law whenever evidence can be procured to justify proceedings.

ELEMENTARY EDUCATION IN WALES.

MR. THOMAS ELLIS: I beg to ask the Vice President of the Committee of Council on Education whether, in this year's publication of the Report on Elementary Education in Wales, he will include so much of Part IV. of the Appendix regarding the accommodation, average attendance, and annual grants earned by each school as relates to Wales and Monmouth; whether the comparative table showing the results of the work of two years, published in the Welsh Report of 1889, will be continued in this year's Report, and whether this valuable table can be so extended as to show the results of the work of 1890 as compared with 1870; whether the Welsh Inspectoral Division can be so re-arranged by the inclusion of Radnorshire and the exclusion of certain border parishes of Cheshire and Shropshire as to make it coterminous with the educational area of the Welsh Intermediate Education Act and the Charters of the University Colleges of Wales; and, whether, in future, an annual instead of a biennial Report on elementary education in Wales will be published?

SIR W. HART DYKE: That part of the Appendix to which the hon. Member refers, so far as it relates to Wales will, in accordance with the undertaking given two years ago, be included in the Report of the Chief Inspector for the Welsh Division, and the comparative table will be continued, but there is no material for its extension so as to show the particulars for 1870. I think it desirable to make such a change as that suggested in the boundaries of the Division, if it can be done consistently with administrative economy, and I will bear the matter in mind in connection with any re-arrangement of the districts on the Welsh border that may hereafter be effected. The Welsh Division is one of ten into which England and Wales are divided, and it would be impossible, looking to the distribution of work that

devolves upon the Inspectors in charge of these Divisions, to demand of them a General Report for each year, nor do I think any public object would be served by doing so.

FALKIRK PROCURATOR FISCALSHIP.

MR. J. BOLTON (Stirling): I beg to ask the Lord Advocate whether, by the death of Mr. John Gair, Joint Procurator Fiscal at Falkirk, the Procurator Fiscalship there is vacant; and, if so, whether the gentleman who may be appointed to the office will be allowed to take private practice?

*SIR C. PEARSON: The death of Mr. John Gair does not cause a vacancy in the office referred to. The office has devolved upon the survivor of the two joint holders of it.

GAMBLING AT BAZAARS.

COLONEL SANDYS (Lancashire, S.W., Bootle): I beg to ask the Secretary of State for the Home Department whether he is aware that at two bazaars, held recently in St. James's Hall, Manchester, by Roman Catholics, "roulette" and other forms of gambling were openly carried on; whether such gambling is or is not contrary to the law of England; whether he will inquire into the matter; and, if found to be as stated, will take steps to bring the law home to those responsible for and concerned; whether it is or is not the case that, in either or both of the cases of gambling before referred to, a leading detective in the Manchester Police Force was present and witnessed the gambling without making any protest in order to stop it; and if he will ascertain whether the detective has made any report of the matter to his superiors in the Manchester Police; and what action is to be taken therein?

MR. MATTHEWS: I am informed by the Chief Constable of Manchester that at a bazaar held in November last a roulette table, which had been brought to the bazaar for sale, was for a short time improperly used for play. This was stopped by the police. At this bazaar, and at one recently held at the same place, turn-tables were used in disposing of fancy articles, but the Local Authority, whose duty it would be to prosecute if the law were infringed, did not deem it advisable to take any proceedings. The police have, however, instructions to prevent such practices at bazaars in future. At both bazaars police officers were present for the purpose of preventing robberies and detecting pickpockets.

MIXED TRAINS.

MR. ANGUS SUTHERLAND (Sutherland): I beg to ask the President of the Board of Trade whether he has any objection to lay upon the Table of the House a Copy of the Correspondence between the Board of Trade and the Highland Railway Company on the subject of mixed trains?

*BARON H. DE WORMS (for Sir M. HICKS BEACH): If the hon. Member will move for it, I shall be happy to lay upon the Table the Correspondence which has passed between the Board of Trade and the Highland Railway Company with regard to the Order issued by the Department to the Company under the "Regulation of Railways Act, 1889." It is to this that I imagine the hon. Member refers.

CHINA AND JAPAN MAILS.

SIR G. BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the Postmaster General whether he can state the dates on which the China and Japan mails (*viâ* Canada), delivered in London on the 13th May, left Shanghai and Yokohama, respectively; what were the times occupied in transit; and what were the times occupied in transit by the mails from Shanghai and Yokohama, respectively, last delivered in London by the Suez route?

MR. RAIKES: The mails brought by the first steamer of the Canadian Pacific Line, and which were delivered in London yesterday, left Hong Kong on the 7th of April, Shanghai on the 11th of April, and Yokohama on the 17th of April. The time occupied in transit was from Hong Kong, 36 days; Shanghai, 32 days; Yokohama, 26 days. The last arrival of mails from the same places by British Packet *viâ* Suez was on the 5th of May, and the time occupied was from Hong Kong, 33 days; Yokohama, 45 days. No mails are received *viâ* Suez direct from Shanghai, the correspondence from that place being included in the mails from Hong Kong.

HENDON SEWERAGE WORKS.

MR. COBB: I beg to ask the President of the Local Government Board whether in August last the Hendon Local Board applied to the Local Government Board for their sanction to borrow £4,500, to carry out sewerage works in the Low Level Station District; whether the Inspector of the Local Government Board held a local inquiry on the 16th of October last; whether considerable delay has taken place in consequence of an objection made by the Local Government Board to part of the scheme, upon a point raised by the Inspector, and if it has since been found that this point was conceded by the Hendon Board at the time of the inquiry; whether the Local Government Board have repeatedly been informed by the Hendon Board that serious disease has in many cases arisen in consequence of not carrying out the sewerage works; and that in the opinion of the medical officer and the sanitary inspector a serious epidemic is likely to occur when warm weather comes; whether he is aware that the urgency of the scheme has caused the Hendon Board not at present to proceed with the loan for the Mill Hill district; whether, in consequence of the alarm which exists, a number of inhabitants have left the locality, and the value of property has depreciated; and, whether he will give immediate instructions to sanction the borrowing of the necessary loan?

*MR. RITCHIE: I may state generally that several questions have arisen with regard to the application referred to. One of the points was as to the arrangements for the disposal of the sewage of a part of the district. The Local Government Board asked for information as to this in December last, on the 19th of February, and on the 14th of April. The Board received this information on the 2nd inst. Directions for sanction of the loan were given on the 9th inst., and the sanction has now been granted.

THE PARLIAMENTARY FRANCHISE TO SAILORS.

MR. A. O'CONNOR: I beg to ask the Attorney General whether sailors in the Mercantile Marine, engaged in coasting and cross-channel service, are disqualified in England in respect of the Parliamentary Franchise; and whether there is any distinction between such sailors and sailors engaged under articles in Foreign-going ships?

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): Sailors in the Mercantile Marine, in whatever service engaged, are not disqualified by reason of their absence from their homes unless they happen to fall within the rule laid down by the Courts in "Ford *v.* Barnes" and other cases, and in that event they are protected by the Electoral Disabilities Bill passed this Session, assuming that their absence does not exceed four months. There is no distinction been coasting and foreign-going ships. I would, however, point out to the hon. and learned Gentleman that the question depends upon whether the absence from home is voluntary or compulsory.

"EVELYN *v.* HURLBERT."

MR. SUMMERS: I beg to ask the Attorney General, since it is provided by 42 and 43 Vic. c. 22, that the Public Prosecutor shall institute criminal proceedings under the superintendence of the Attorney General, and that the Attorney General may in a special case direct the Public Prosecutor to institute criminal proceedings, whether, in the inquiries which he is making into the case of "Evelyn *v.* Hurlbert," the Public Prosecutor is acting, according to the Statute, "under the superintendence of the Attorney General;" and whether he has given, or intends to give, the Public Prosecutor directions as to the action which he is to take, or to abstain from taking, upon the evidence in this case?

*SIR R. WEBSTER: In this case I have followed the practice which has been pursued by previous Law Officers, namely, that in any case in which the Attorney General cannot from his connection with the case interfere in the matter, should the Director of Public Prosecutions require to take advice, he will consult the Solicitor General. I have not given, nor have I any intention of giving, the Public Prosecutor any directions as to the action which he should take or abstain from taking.

MR. SUMMERS: Will the hon. and learned Gentleman give the date on which he instructed the Solicitor General?

*SIR R. WEBSTER: I have not instructed the Solicitor General. It is for the Director of Public Prosecutions to apply to the Solicitor General if he desires information or advice. I gave directions to the Public Prosecutor on the very day on which I directed that the shorthand notes of the trial should be forwarded to him.

VALUATION LISTS.

MR. BARTLEY (Islington, N.): I beg to ask the Attorney General whether his attention has been called to the fact that the London County Council have presented to the Quarter Sessions 12 petitions against totals on the valuation lists made last year; whether, with regard to the City of London Union alone, they have objected to more than 800 distinct assessments on the list, and are seeking to add upwards of £417,000 to the gross value and £350,000 to the rateable value; whether, in the St. George's Union, they are seeking to add upwards of £260,000 to the gross value and £200,000 to the rateable value in respect of more than 3,000 distinct properties, alleged to be under assessed, and in St. Marylebone upwards of £126,000 to the gross and £106,000 to the rateable value; and whether, as such exercise of the power of appeal imposes a very heavy burden upon the ratepayers in costs of resisting the appeals and in rates, it is the intention of the Government to introduce any measure for the purpose of amending "The Valuation (Metropolis) Act, 1869"?

SIR R. WEBSTER: My attention has not been called to the facts stated by the hon. Member, but I believe that they are correct. The latter part of the question should be addressed to the right hon. Gentleman tha President of the Local Government Board.

FACTORIES AND WORKSHOPS BILL.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the First Lord of the Treasury whether there is any intention of taking the Report stage of the Factories and Workshops Amendment Bill on Monday 25th or Tuesday 26th May?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): We shall not be able to take the Report stage of this Bill before Thursday, the 28th inst.

NEWFOUNDLAND FISHERIES BILL.

MR. BRYCE: I had intended to ask the First Lord of the Treasury whether, seeing that the Newfoundland Fisheries Bill has now passed the House of Lords, it is the intention of Her Majesty's Government to proceed with that Bill in this House; and, if so, before what day they will not ask the House to take the Second Reading? Since putting the question on the Paper I have discovered that the Bill has been read a first time and put down for Second Reading in that House for May 28. I will, therefore, only ask the right hon. Gentleman the Chancellor of the Exchequer what are the intentions of Her Majesty's Government with respect to the Bill.

MR. GOSCHEN: If it is necessary to take the Bill at all and pass it, it would not be possible to defer it beyond May 28. The intentions of Her Majesty's Government are to take the Bill on May 28, if it should unfortunately be necessary to do so.

PUBLIC BUSINESS.

SIR G. CAMPBELL (Kirkcaldy, &c.): I beg to ask the First Lord of the Treasury if he can now say what the Government intend to propose in regard to the Sittings and Business of the House before and on its meeting after Whitsunday? I put this question down before I was aware of the state of the right hon. Gentleman's health. Perhaps the Chancellor of the Exchequer will say whether it is still arranged that if the Land Purchase Bill is not finished this week that the House will reassemble on the 21st.

MR. GOSCHEN: My right hon. Friend has asked me to refer the hon. Gentleman to the statement he made yesterday, to which he has nothing to add.

SIR G. CAMPBELL: Are we to understand that it is definitely settled that in case the Land Bill is not finished to-morrow we are to proceed with the Bill on the 21st? If not, what Supply will be taken?

SIR G. TREVELYAN: Perhaps it would be convenient that the House should know definitely what will be the hour and the course of business to-

morrow. I should like to ask the right hon. Gentleman whether he intends to adhere to the usual custom of a Morning Sitting, the adjournment taking place at the end of it?

MR. GOSCHEN: We shall not be able to take the Purchase Bill to-morrow unless we put it down for 3 o'clock. Therefore, the proposal is that we should meet at 3 o'clock, not only for the Adjournment, but for the purpose of continuing the Land Purchase Bill. Without pledging myself to any particular hour, I hope we shall be able to move the Adjournment at an hour convenient to hon. Members.

MR. SHAW LEFEVRE (Bradford, Central): May I ask whether it will be necessary to take a Vote on Account immediately after Whitsuntide, and, if so, on what day?

MR. GOSCHEN: If we finish the Land Purchase Bill to-morrow, then we shall take a Vote on Account on Monday, when we meet, but if we are not able to do so, and we resume on Thursday, we shall proceed with the Bill on that day and Friday, and then I do not know whether we shall take the Vote on Account; perhaps on Tuesday.

PIERS AND HARBOURS.

DR. CLARK (Caithness): I beg to ask the First Lord of the Treasury, when he intends to introduce the Bill he promised which will empower County Councils or other Local Authorities to undertake the management and construction of piers and harbours?

MR. GOSCHEN: The Bill referred to is in the hands of the Lord Advocate, who, I regret to say, is absent on account of illness.

CROFTER COMMISSION—RAILWAY CONSTRUCTION.

DR. CLARK: I beg to ask the First Lord of the Treasury whether the negotiations have been completed regarding the construction and working of one of the railways mentioned in the first Report of the Commission, or whether the Supplementary Estimate contains all the proposals of the Government with reference to the Commission's Report?

MR. GOSCHEN: The negotiations are not yet complete, and the Supplementary Estimate does not contain all the proposals of the Government.

WEST CLARE POSTAL ARRANGEMENTS.

MR. MAHONY (Meath, N.): I beg to ask the Postmaster General whether it is a fact that in some parts of West Clare, including the town of Kildysart, the postal arrangements are so defective that letters are not delivered there for 20 hours after the ordinary time of delivering in Ennis and its vicinity; and, if so, whether he will take steps to reform this state of things?

MR. RAIKES: There is one post in the day from Ennis to the neighbourhood of Kildysart, and this includes the great bulk of the correspondence, which is delivered at a convenient hour in the morning. Ennis itself has a second post, and letters for Kildysart brought to Ennis by this second post are, under present circumstances, necessarily kept over for despatch to Kildysart next morning. The question of establishing a second post in the day to Kildysart has been carefully considered; but any arrangement for the purpose would entail additional outlay largely in excess of the available revenue, and I regret that I should not be justified in sanctioning such a measure.

WATER SUPPLY AT KILDYSART.

MR. MAHONY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is a fact that the inhabitants of the town of Kildysart, in the county of Clare, suffer severely in summer from the want of an adequate and proper supply of water; whether a memorial has been presented to the Government in Dublin asking for a sum of money from the Board of Works to carry out drainage works in the locality in question; whether any answer, and, if so, what answer has been given to that memorial; and whether the attention of the Local Government Board will be directed to this matter with a view to a definite and an early decision being come to upon it?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): It appears from a Report made to the Local Government Board in June, 1889, that in hot, dry weather there was a scarcity of water in Kildysart. In September last, however, the Local Government Inspector reported that a well

existed within a short distance of the village whence sufficient water could be procured. No Memorial has been received by the Irish Government, asking for a loan from the Board of Works for water supply, or drainage purposes.

FAIR RENTS.

MR. MAC NEILL (Donegal, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is the fact that in November, 1887, about 100 tenants on the estate of Mr. Francis M'Glade, Glencolumbkill, county Donegal, made application to the Land Commission to have fair rents fixed; whether, on their cases coming on for hearing in July, 1889, the Land Commission fixed fair rents in 20 cases, the remainder being adjourned for survey; whether, although the survey for which these 80 cases were so adjourned has been long since completed, the said cases are still unheard; and whether the Government will take any, and, if so, what steps to expedite the hearing of these cases?

MR. A. J. BALFOUR: The Irish Land Commissioners Report that the facts appear to be as stated in the question. It is intended to list the cases for the next sub-Commission sitting at Glenties, the date of which, however, has not yet been fixed. The cases would have been disposed of at the sitting in 1889 if the parties had had them properly prepared, and had produced proper evidence as to area.

ARMY CHAPLAINS IN IRELAND.

MR. MAC NEILL: I beg to ask the Secretary of State for War how many commissioned Army chaplains are at present ministering to the Forces in Ireland; what is the amount of their salaries in the aggregate; whether he has received a copy of the resolution passed unanimously by the Protestant Synod at their meeting last April, claiming for the Irish Protestant clergy these appointments; whether it is the fact that the Irish Catholic Bishops have insisted on the duties of chaplains to the Forces being discharged by the Irish Catholic clergy; and whether he, having regard to the assurance given by him to the hon. Member for South Donegal that he would carefully consider any expression of opinion forwarded to him by the authorities of the Irish Church on this subject, will now put the Irish Protestant clergy on an equality with the Irish Roman Catholic clergy in the matter of Army chaplaincies?

*MR. E. STANHOPE: There are seven commissioned chaplains and two probationers, Protestant, other than Presbyterian, ministering to the troops in Ireland, and their aggregate pay and allowances amount to £2,921. In answer to the third question no such resolution has been sent to me by the authorities of the Irish Church. The Army chaplains officiate at three stations only in Ireland, and for my reasons for retaining them there I must refer the hon. Member to the reply I made to him on the 13th of April.

REGISTRY OF DEEDS OFFICE, IRELAND.

MR. MAC NEILL: I beg to ask the Secretary to the Treasury whether the temporary clerks in the Registry of Deeds Office, Ireland, are given the same privilege with regard to leave as that accorded to persons employed in a similar capacity in other Irish Offices; whether it is not customary to pay temporary clerks and writers for the days on which the office in which they are employed is officially closed; and, if so, why the temporary clerks in the Registry of Deeds Office were not paid for Christmas Day, Good Friday, Easter Monday, and two other official holidays when that office was closed; and are not the temporary clerks in the Local Government Board, Land Commission Office, General Post Office, and other Irish Offices also allowed one day's leave in every month, or 12 days in each year, and half an hour daily for lunch; and if so, will he have instructions sent to the Registrar of Deeds in Ireland to permit the temporary clerks in his office to receive the same leave and allow this privilege to be retrospective, so that the clerks so employed should receive payment for the official holidays for which they are still unpaid?

SIR H. MAXWELL: No application from the Registrar of Deeds on behalf of the temporary clerks or writers in his Department, appears to have reached the Treasury on the matters referred to in the question. But I may say that the

Treasury would be prepared to sanction in their case the same rules as to leave on full pay, &c., as are in force for copyists generally.

MESSRS W. O'BRIEN AND J. DILLON'S BAIL.

MR. CAREW (Kildare, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is the intention of the Government to levy the amount of the bails given at Tipperary for the appearance of Messrs. John Dillon and William O' Brien, namely, £500 each from the principals, and £250 each from Mr. Dillon's sureties, and £250 from Mr. O'Brien's sureties, making in all the sum of £1,750; and whether, seeing that Messrs. Dillon and O'Brien are now in gaol, suffering the full penalty of six months' imprisonment, the Government will remit these penalties, which, if levied, would be adding a fine of £1,750 to the sentences already imposed by the Magistrates?

MR. A. J. BALFOUR: It is, of course, the intention of the Government, in the due execution of the law, to levy the amount of the recognisances in the cases referred to in this question. The defendants had entered into a solemn obligation to attend for trial on a specified day, but took advantage of the opportunity to abscond. The Government see no ground to remit the penalties.

In answer to Mr. SEXTON,

MR. A. J. BALFOUR said: It seems to me, as far as I am capable of judging, that if bail is ever to be enforced it should be enforced in this case; if it is never to be enforced, we should not have to go through a vague formality. I have given a great deal of thought to the matter, but I have not been able to get out of this dilemma.

INTERMEDIATE EDUCATION IN IRELAND.

MR. M. HEALY (Cork): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, since the intermediate education system was established in Ireland, it has been customary for teachers and pupils very generally to make the junior grade a four years' course by increasing the number of subjects at each year's examination during that period; whether the new preparatory grade in effect recognises this practice and allows two examinations in that grade and two afterwards in the junior grade or four in all before a student is compelled to enter for the middle grade; and why the Commissioners, by making Rule 8 retrospective, limit students who pass this year in the junior grade to a two years' course, though all past students and all future students have had and will have a four years' course before entering for the middle grade?

MR. A. J. BALFOUR: The Assistant Commissioners of Intermediate Education in Ireland Report that a student in his 14th year, who this year passes in the junior grade for the second time, provided he does not obtain an exhibition, is under no compulsion to proceed to the middle grade next year; he may allow two or three years to elapse from the date of the examinations in the present year before presenting in the middle grade, in which he would be eligible for awards; and that it is for a student himself so situated, or his teacher, to decide what course of study he may pursue. The Assistant Commissioners also Report that it is the case that some students in the past have presented for examination four times in the junior grade, but the practice has not been universal. The programme for the preparatory grade being of a far more limited character than that prescribed for the junior grade, the case of a student presenting twice in the preparatory and twice in the junior grade is not the same as that of a student presenting four times in the junior grade. The latter practice the Board considered undesirable.

MR. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, for the purpose of showing the effect of their new Rule No. 8 in practice, the Board of Intermediate Education in Ireland will, without delay, supply a Return in the following form: (a) number of junior grade students who passed in June, 1890, being in their 13th year on the 1st June, 1890; (b) like in their 14th year on the date mentioned; (c) the number of junior grade students who have sent in their names for the forthcoming examination in June, 1891, and who will be in their 13th year on the 1st June, 1891;

(d) like in their 14th year on said date; (e) the number of middle grade students who passed in June, 1890, and who had either attained, or were under, 15 years of age on the 1st June, 1890; and (f) the number of middle grade students who have sent in their names for the forthcoming examination in June, 1891, and who will either attain or be under the age of 16 years on the 1st June, 1891?

MR. A. J. BALFOUR: The Assistant Commissioners of Intermediate Education Report that the statistics required under heads (c) and (d) are as follows:—(c) boys, 312; girls, 66; (d) boys, 687; girls, 181. The other statistics asked for in the question cannot at present be compiled, the time of the permanent staff of the Board being completely occupied with preparations for the forthcoming examinations.

MR. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether by No. 8 of the new rules of the Board of Intermediate Education in Ireland, teachers, and second year students in the junior grade, have been compelled, at six weeks' notice, to choose between entering for this year's examination, and thereby surrendering the chance of passing with honours in a future year, or to forfeit the whole result of last year's study by postponing their examination till next year; whether, as it now stands, the rule will, as regards next year and afterwards, treat students who this year pass a second time in the junior grade as if they had got the benefit of the "preparatory grade," which comes into force next year for the first time; whether the rule operates in an analagous way on students for the middle and senior grades; and whether, owing to this, teachers and students are placed in a position of great embarrassment, their plan of study for the past year having been based on the assumption that the existing rules would not be altered, and this rule being now published for the first time six weeks before the coming examination?

MR. A. J. BALFOUR: The Assistant Commissioners of Intermediate Education Report that it is the case that some students are affected in the manner indicated in this question.

MR. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland at what date the Board of Intermediate Education in Ireland propose to meet to consider the objections which have been taken to No. 8 of their new rules; and whether they will come to a decision at a reasonable date before the coming examinations for this year?

MR. A. J. BALFOUR: The assistant Commissioners of Intermediate Education report that it is expected that a meeting of the Board will be held next week, if not sooner.

SEED POTATOES.

DR. TANNER (Cork Co., Mid): I beg to ask the President of the Board of Agriculture if the Agricultural Department have any information whether seed potatoes recently distributed in the many Poor Law Unions in Ireland can withstand the "Phytophthora infestans," if planted in fields or gardens previously infected with the fungus, when such fields or gardens are not cleared of all haulm and leafage, as well as every infected tuber; what period of time should be permitted to elapse prior to re-planting seed potatoes after infection of such fields or gardens; and whether he is aware that "oospores" are now proved to have been obtained direct from the ground where they were deposited by filtration; and, if so, whether any means can be recommended for destroying this cause of infection?

*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): I am advised that the planting of potatoes upon land on which the previous crop had been infected by the potato fungus known as "phytophthora infestans" would be attended with risk of disease, unless great care is taken to clear the land of all haulm and leafage and every infected tuber. Probably the best and safest course to adopt under these circumstances is to allow a sufficient time to elapse before re-planting the land upon which disease has occurred. Where that is impossible, the careful removal and burning of all diseased material, deep ploughing, and a good dressing of quicklime are recommended as most like to be effective.

TULLAMORE GAOL.

MR. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any decision has been come to as to the removal of prisoners from Tullamore Gaol, in view of the prevalence of typhoid in the gaol; and whether, in view of the wishes of their friends and their natural anxiety, Messrs. Patrick Moclair, of Clonmel, and Thomas Walsh, of Cashel, will in any case be removed?

MR. A. J. BALFOUR: The General Prisons Board are arranging to remove all the male prisoners in Tullamore who are in good health to Clonmel, where there is accommodation for them in a block separated entirely from the rest of the prison. The female prisoners, numbering only three, will be transferred to Grangegorman Prison.

MR. SEXTON: Are the cases of typhoid increasing in number or diminishing?

MR. A. J. BALFOUR: I have not been informed.

CIVIL ENGINEERS OF THE INDIAN PUBLIC WORKS DEPARTMENT.

MR. TALBOT: I beg to ask the Under Secretary of State for India what has been done by the Indian Government to carry into effect the 26th paragraph of the Despatch of Lord Kimberley, No. 18, of the 22nd March, 1883, with regard to the grievances of the Civil Engineers of the Indian Public Works Department in relation to their occupation of the higher posts in that Department; whether, in point of fact, the Civil Engineers have for a long period of years composed about four-fifths of the entire strength of the Department, the Military Engineers constituting the other fifth; whether the latter have the monopoly of all the higher administrative posts; whether this has been recognised by more than one Secretary of State as an injustice to the Civil Engineers; and whether it is not possible to give more practical effect to the policy laid down in the above-mentioned Despatch by the appointment of competent Civil Engineers to fill the highest departmental administrative posts either alternately with Military Officers or in any other way?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth) (for Sir J. GORST): The Secretary of State is confident in the words of the Despatch referred to—

"That the choice by the Government of India of fit persons for the higher posts in the Public Works Department has been made with perfect impartiality."

The answer to the second question is in the affirmative. To the third and fourth the answer is in the negative, but for some time after the introduction of the Civil Engineers into the Department, the Royal Engineers, who formerly constituted the whole staff, were the seniors and the first to become eligible for promotion to the higher appointments. Now, however, the Civil Engineers are reaching the higher grades and are being promoted on their merits in the same way as Royal Engineers. In reply to the last question, the Secretary of State is of opinion that the responsibility of selecting officers for promotion to high appointments must rest with the Government of India under whom these officers work. He cannot adopt the hon. Member's suggestion.

HOUSE TAX IN UPPER BURMA.

MR. SCHWANN (Manchester, N.): I beg to ask the Under Secretary of State for India whether he will lay upon the Table of the House a copy of the Note of the Chief Commissioner of Burma, in which Sir Alexander Mackenzie proposes to substitute for the House Tax on agriculturists in Upper Burma a Land Revenue Assesssment based on that prevailing in India, and offering, as regards all so-called private lands, to give security and permanency of tenure without waiting for a regular survey and re-settlement; also a copy of the proceedings and recommendations of the Select Committee of 1871, dealing with certain proposals for the establishment of a permanent tenure in India; and a copy of the final Order of 1883, abandoning the proposed extension of the permanent settlement?

BARON H. DE WORMS (for Sir J. GORST): The Note of the Chief Commissioner of Burma has not yet been received by the Secretary of State; when it arrives he will consider whether it can be presented. The proceedings and

Report of the Committee of 1871 are to be found in Parliamentry Return 363 of that year. The Despatch of 1883 will be presented as an unopposed Return, if the hon. Member will move for it.

THE MANIPUR DISASTER.

MR. CREMER (Shoreditch, Haggerston): I wished to put a question to the Under Secretary of State for India, but as the right hon. Gentleman is prevented by illness from being in his place perhaps some other Member of the Government will reply to me. My question is whether the Government are in a position to give the House any information in regard to the Manipur disaster and, further, why the Despatches which the Under Secretary stated had been laid upon the Table on the 5th inst. have not been delivered to hon. Members. Is it usual for more than 10 days to be occupied in the printing of such Papers?

BARON H. DE WORMS: The Manipur Papers have been presented, and are now in the hands of the printers.

MR. CREMER: That is not the answer I had hoped to obtain from the Front Bench opposite. I wanted to know why the delay has taken place in the delivery of these Papers, and when the Despatches are likely to be in the hands of Members? Is it usual to take more than 10 days for the presentation of documents of a similar character?

BARON H. DE WORMS: I cannot answer a question of that character. It depends entirely upon the printers.

MR. CREMER: I am sorry to be compelled to rise again, but my question has not yet been answered. I do not know whether I am in Order, but I cannot help saying that, in my opinion, it is scarcely creditable to the Government to have a delay of this kind.

*MR. SPEAKER: Order, order! The hon. Member is exceeding the bounds of a question.

MR. CREMER: It is now 10 days since I asked a question of a similar character, and I then succeeded in obtaining no information whatever. [*Cries of* "Order!"] I do not think it is fair that I should be put off with a statement that the Despatches have been laid upon the Table. I am endeavouring to ascertain why 10 days should have been allowed to elapse without the Papers being delivered to hon. Members.

BARON H. DE WORMS: There has been no unnecessary delay so far as Her Majesty's Government are concerned. As soon as the Despatches were received they were laid upon the Table, and as soon as they are printed they will be delivered.

MR. CREMER: What I want to know is when they will be delivered?

MR. BRYCE: I wish also to put a question in regard to these Papers. It was the intention of certain Members of this House to have raised a discussion in regard to the Manipur affairs upon the Motion for Adjournment for the holidays, but we are prevented from doing so, partly because the Motion for Adjournment will be made at the end of the business to-morrow, and partly because the Papers have not been delivered, although they were laid on the Table on the 5th instant. Perhaps, under the circumstances, I may be allowed to ask the Chancellor of the Exchequer, in the absence of the First Lord of the Treasury, whether we are to understand that when the Papers are delivered the Government will afford an opportunity of discussing the affairs of Manipur?

MR. GOSCHEN: It would be somewhat difficult, I think, in the unfortunate absence of my right hon. Friend the Under Secretary for India, to discuss these matters satisfactorily. I think that hon. Members opposite will agree with me that it would not be right to insist upon a discussion when the Minister who is mainly responsible in this House is prevented by illness from being present in his place. I may say that Her Majesty's Government fully recognise the importance of the question, and they have no desire to withdraw it from the full notice of the House. In the absence of my right hon. Friend the First Lord of the Treasury, who is also prevented by illness from being in his place, I should not like to give a pledge as to when the discussion can be taken.

BUSINESS OF THE HOUSE.

SIR G. TREVELYAN: In the contingency, which it is unfortunately necessary to contemplate, of the Land Purchase Bill not being finished to-morrow, when do the Government propose to continue the

consideration of that Bill? Secondly, I would ask at what time the Adjournment of the House will be moved to-morrow? I think we have a right to ask this, if we are called upon to waive the usual right of having the Adjournment moved at the commencement of business to-morrow.

MR. CREMER: Before the right hon. Gentleman answers that question, I wish to ask him whether he will direct an inquiry to be made at the printing office as to the delay which has taken place in the delivery of the Manipur Despatches? Will the right hon. Gentleman be in a position to answer that question to-morrow?

MR. SEXTON: Will the putting down of the Land Purchase Bill to-morrow at 3 o'clock depend upon the hour at which the House is adjourned to-night?

MR. GOSCHEN: No, it will not depend upon that; I wish the House to look upon the matter in the light that it is desirable to make the greatest progress with that Bill. Even if we do not finish it, I hope that we shall be able to make a great impression upon it. Under these circumstances, I cannot give any pledge as to any particular hour for moving the Adjournment. We propose if the Purchase Bill should not be finished to put it down for Thursday next, and if hon. Members should find that we do not get within reasonable reach of the termination of the Bill, I hope they will not wish to suspend business at any particular hour.

MR. H. H. FOWLER: I think I ought to remind the right hon. Gentleman that a week ago he told us that there would be a Morning Sitting at which the first business would be the Motion for Adjournment. This is the first intimation we have had of any alteration, and hon. Members have made their arrangements to leave London on the faith of the original understanding. I think, therefore, that we have a right to press the Government for an assurance that the adjournment will take place to-morrow at the hour originally fixed.

MR. CREMER: Before the Chancellor of the Exchequer answers the question of the right hon. Member for Wolverhampton (Mr. H. Fowler) I wish to remind him that he has not answered my question in reference to the non-delivery of the Manipur Despatches. I at once acquit the right hon. Gentleman of any intentional act of discourtesy; but I think that the question I put was a very proper one, namely, whether he will make inquiry between this and to-morrow as to the reason why the Papers have not been delivered? The right hon. Gentleman resumed his seat without taking any notice of my question.

MR. GOSCHEN: I can assure the hon. Member that there was no intentional discourtesy on my part, but several questions were put to me, and I regret that I should have omitted to reply to that of the hon. Member. I will cause inquiry to be made; but I must remind the House that it frequently happens that the printers are unfortunately not so prompt as we could wish. But Her Majesty's Government have absolutely no power in the matter, and are often put to great inconvenience in consequence. I can assure the hon. Member that as far as we are concerned there will be no delay in producing the Papers.

SIR G. CAMPBELL: Upon this subject I should like, Mr. Speaker, to address a question to you. Who is the authority who has control over the printers, and to whom should an application be made if the printers fail to do their duty?

*MR. SPEAKER: The best quarter to apply to would be the Office concerned, and in this case it would be the India Office.

SIR G. CAMPBELL: But we are constantly informed by the Office concerned that it has no control over the printers.

*MR. SPEAKER: Of course the ultimate authority would rest with this House.

DUBLIN CUSTOM HOUSE.

MR. T. HARRINGTON (Dublin, Harbour): I beg to ask the Chancellor of the Exchequer whether the messengers in the Custom House and Valuation Office, Dublin, have had their hours extended from 4 to 5 o'clock; and whether they have been receiving remuneration for this extension as well as the other officers; and, if not, why?

MR. GOSCHEN: I cannot find that applications from messengers in the Departments mentioned have reached the Treasury, but the matter shall be inquired into.

METROPOLITAN CASUAL WARDS.

MR. LAWRENCE (Liverpool, Abercromby): I beg to ask the President of the Local Government Board whether he is aware that the necessary restrictions as to leaving casual wards in the Metropolis make them of little use for genuine wayfarers, and that there is no religious service or instruction provided for those detained during Sundays; and whether he is aware that the casual wards at the West End of London are generally filled every night with people who come to that part of London as beggars, while those of the East End are practically empty; if so, whether, having regard to the apparent unsatisfactory results of the system of casual wards in the Metropolis, he will direct a Departmental Inquiry to be made?

*MR. RITCHIE: The regulations with regard to the detention of casual paupers admit of exceptions being made in the case of genuine wayfarers in search of work, but it would, in my opinion, be most inexpedient to relax the general rules as to detention. Religious services are provided on Sundays in a large proportion of the casual wards in the Metropolis. I do not agree with the suggestion that the wards in the East End of London are practically empty; but it is the case that there are wards in the Western and more central parts of London where there is pressure on the accommodation. I am informed that there is no material difference in the class of persons who frequent the wards in the different parts of the Metropolis. As regards the suggestion that a Departmental Committee should be appointed to consider the casual ward arrangement, I do not think that the circumstances are such that any advantage would result from this course.

VENTILATION OF THE HOUSE.

MR. H. H. FOWLER: I wish to put a question to the First Commissioner of Works, of which I have given him private notice, namely, whether his attention has been called to a letter in the *Times*, written by the hon. Baronet the Member for Hallamshire (Sir F. Mappin), calling attention to the manner in which the temperature of the House was regulated last week; whether he can, while consulting the wishes of those hon. Members who are endowed with a superfluity of physical health and strength, pay some regard to the comfort of those weaker Members (of whom I am one) who are susceptible to the influences of chills and draughts, and who desire to discharge their duties as Members in this House, and also to avail themselves of the advantages—say, one room in the Library and one of the Reading Rooms—without being exposed to the risk of severe and perhaps serious indisposition?

*THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): I have seen the letter referred to in the *Times* of this morning. Of course, I regret very much that the hon. Baronet should be suffering, and should attribute his illness to the imperfect arrangements for the ventilation of the House, but the hon. Baronet is entirely under a misapprehension in stating that alterations are made in regard to the lighting of fires and the opening of windows at fixed dates, corresponding with certain seasons of the year. From day to day, and from hour to hour, the temperature is regulated by a system of inspection and the use of the thermometer, and every possible care is taken to keep the temperature uniform. The fact of the matter is that there is the widest possible divergence of opinion on the subject between Members of the House, and I very often receive complaints from some hon. Members because the Reading Room or Library is too hot, and almost at the same moment from others that it is too cold. I can assure my right hon. Friend and those who are either physically or mentally weak—though I should never have thought of including him in either of those categories—that, for one Member who complains of excessive cold in this House, there are—I was going to say a score—at least a dozen who complain of excessive heat.

VENTILATION OF COMMITTEE ROOMS.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the right hon. Gentleman the First Commissioner of Works whether his attention has been directed to some of the hygienic defects in the Committee Rooms upstairs, and whether he will take the opinion of

experts as to the practicability of improving the ventilation of the Committee Rooms, the air of which is frequently so vitiated as to be highly prejudicial, not only to the health of hon. Members, but of Counsel and the general public?

*Mr. PLUNKET: I should be glad if my hon. Friend, who is an authority on the subject, would call my attention to particular defects. I ought to say, however, that the system of ventilation, if not perfect, would in most rooms be considered very good. There is provision for the ingress of air by the lower part of the rooms, and egress from the upper part. As to the opening and shutting of windows, that is a matter which affects people differently, and windows are shut or opened from time to time according as the majority of the Committee present at any moment happen to belong to the hot school or the cold school of philosophers.

METROPOLITAN WATER COMPANIES.

Copy ordered—

"Of Returns of the Accounts, as they are respectively made up, of the Metropolitan Water Companies to the 31st day of September and the 31st day of December, 1890 (in continuation of Parliamentary Paper, No. 283, of Session 1890."—(*Mr. Long.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 248.]

CAPTAINS AND MASTERS WIDOWS' FUND.

Return ordered—

"Showing (1) the amount standing to the credit of the Captains and Masters Widows' Fund on the 25th day of March, 1875, and on the 25th day of March, 1891; (2) the description of securities in which it is invested; (3) the amount of annual interest derivable therefrom on those two dates respectively; (4) the amount of each annuity charged to the Fund on those two dates; (5) the names and ages of the annuitants; and (6) the balance, if any, and how it is disposed of."—(*Mr. G. C. Bentinck.*)

ENDOWED CHARITIES (COUNTY OF NOTTINGHAM.)

Return ordered—

"Of the Digest of Endowed Charities in the county of Nottingham, the particulars of which are recorded in the books of the Charity Commissioners for England and Wales, but are not recorded in the General Digest of Endowed Charities in that county, 1869-70 (in continuation of Parliamentary Paper, No. 292 (1), of Session 1871)."—(*Sir William Hart Dyke.*)

ENDOWED CHARITIES (COUNTY OF MONMOUTH.)

Return ordered—

"Of the Digest of Endowed Charities in the county of Monmouth, the particulars of which are recorded in the books of the Charity Commissioners for England and Wales, but are not recorded in the General Digest of Endowed Charities in that county, 1863-5 (in continuation of Parliamentary Paper, No. 91 (4), of Session 1869.)"—(*Sir William Hart Dyke.*)

MOTION.

BUSINESS OF THE HOUSE (PROCEEDINGS ON THE PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.)

Motion made, and Question proposed,

"That the proceedings on the Purchase of Land and Congested Districts (Ireland) Bill, if under discussion at Twelve of the clock this night, be not interrupted under the Standing Order, Sittings of the House."—(*Mr. Chancellor of the Exchequer.*)

(4.45.) The House divided:—Ayes 128; Noes 77.—(Div. List, No. 226.)

ORDERS OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 10.

(4.54.) Mr. M. J. KENNY (Tyrone, Mid): It is proposed to make an exception in the cases of the Lord Chief Justice and the Master of the Rolls, I suppose, because they are Judges of the Court of Appeal. But I would ask why the Lord Chief Baron, who is also a member of the Court of Appeal, is not likewise excepted?

*The ATTORNEY GENERAL FOR IRELAND (Mr. Madden, Dublin University): It is not necessary. There will be no successor to the present Lord Chief Baron, and as he was appointed before 1888, he cannot be nominated without his consent.

Several verbal Amendments agreed to.

Amendment proposed,

In page 10, line 34, after "1859," to insert "and in their case, and in the case of persons formerly employed by the Commissioners of Church Temporalities in Ireland or by the Land Commission, who have since served continuously in the service of the Crown, their periods of service (if any) under the Commissioners of Church Temporalities in Ireland or under the Land Commission, as the case may be, shall be taken into account for all purposes of superannuation allowance, and such portion of the superannuation allowance (if any) as the Treasury determine to be properly payable in respect of such service shall be charged on and paid out of the Irish Church Temporalities Fund."—(*Mr. Goschen.*)

Question proposed, "That those words be there inserted."

(5.0.) MR. SEXTON (Belfast, W.): I should like to know from the right hon. Gentleman upon what principle he proceeds in this Amendment?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): It will affect only two or three officials. It was felt it would be very hard that they should be placed at a disadvantage by change of tenure of office.

Amendment agreed to.

Amendment proposed,

In page 10, at end, to add the words "Notwithstanding anything in section seventeen of 'The Purchase of Land (Ireland) Act, 1885,' any Commissioner acting alone in carrying the Land Purchase Acts and this Act into effect may submit any question of law arising under the said Acts for the hearing and determination of the Judicial Commissioner, and it shall not be necessary that any Commissioner shall sit with the Judicial Commissioner when he is hearing or determining any question of law under the provisions of that section."—(*Mr. A. J. Balfour.*)

MR. SEXTON: This Amendment is an example of the peculiar drafting which renders it so difficult for a layman to gauge what is intended to be done. If we examine the Amendment by comparison with the Act of 1885, we find there is to be a reversal of practice; and surely such a change should not be proposed without the Government offering some explanation. What are the reasons which have induced the Government to propose this alteration, which will decrease the powers of the Commissioners, and which substantially repeals the Act of 1885? It provides that it shall not be necessary for any Commissioner to sit with the Judicial Commissioner when hearing and determining a question of law, but under the Act of 1885 any person is entitled to require that in such a case all three Commissioners shall sit.

*MR. MADDEN: No, Sir; the question of law has to be decided by the Judicial Commissioner alone. In those circumstances, it is only a waste of the valuable time of the other Commissioners to require them to attend during the arguments.

MR. SEXTON: The present system has been in operation five years, and I see no reason for a change. We know that questions of law and fact are very much intermixed in land purchase transactions, and it might be very useful for a Judicial Commissioner, such as the very bumptious official who now fills the post, to have with him on the Bench gentlemen acquainted with the condition of fact to which the law is to be applied. I do not think that any competent lawyer would object to the assistance of laymen in such a case, and I am not so sure that the law would be so efficiently administered in their absence as in their presence.

*(5.11.) MR. MADDEN: With regard to the first portion of the Amendment enabling a Commissioner sitting alone to refer points of law to the Judicial Commissioner, it has long been felt it was desirable that the Commissioner should have such a power of reference. Under the Act of 1885 any of the parties interested may require that a question of law shall be referred to the Judicial Commissioner, whose duty it is to decide questions of law, but the Commissioner cannot himself refer such a question. If the other Commissioners sit with the Judicial Commissioner they have absolutely no function whatever, and surely it would be wiser to leave them at liberty to go on with other work in which they can be usefully employed.

(5.14.) MR. M. HEALY (Cork): It is clear that under the law as it at present stands either party to a matter before the Land Commission may require that any question of law shall be heard by the Judicial Commissioner, although it is not competent for the Lay Commissioners themselves to refer the matter to their judicial colleague. It is only natural they should desire to have a power of reference of that nature, and

I agree that some provision ought to be inserted securing it to them. It is perfectly true that the Land Purchase Commissioners, too weakly, as I think, abandoned the right which the Act of 1885 gave them. It is a somewhat strained interpretation of that Act that, although the Lay Commissioners are sitting with the Judicial Commissioner, they have no voice in the decision. I cannot assume, as the Attorney General for Ireland seems to think, that it is a nonsensical provision inserted without any meaning. I admit that the clause is somewhat obscurely worded, but the meaning is that the Lay Commissioners are to sit for some useful function, and to express their views, and not be as if they were mere wooden dolls. If they committed an error, and overruled the Legal Commissioner, any party interested could appeal to a Superior Court. For my part, so far from amending this section in the direction which the right hon. Gentleman proposes, and ratifying and legalising what appears to be an erroneous view of the law, I would be disposed to amend the Act of 1885 in the exactly contrary direction, and thus make it clear that the two Lay Commissioners should sit with the Legal Commissioners with co-ordinate jurisdiction. I would, therefore, strike out the following words from the Amendment :—

"And it shall not be necessary that any Commissioner shall sit with the Judicial Commissioner when he is hearing or determining any question of law under the provisions of that section."

(5.19.) Mr. MAC NEILL (Donegal, S.) : I am very much inclined to agree with my hon. and learned Friend. I think that if the Attorney General for Ireland looks at this matter he will perceive that the Amendment is desirable. If any question of law arises, the Lay Commissioner has to refer it to the Judicial Commissioner. How can he do that except by stating a case? And as Baron Dowse said, there is nothing so difficult for a layman or for a Resident Magistrate to do. The present construction of the Act of 1885 was never put upon it by Mr. Justice O'Hagan, but only by Mr. Justice Bewley, for whom I have the greatest personal and professional respect. If the former construction were again put upon the Act it would be of the utmost value to have the Lay Commissioners sitting with the Judicial Commissioner, just in the same way as the assessors sit with the Judge of a Court of Admiralty. I say, upon my own responsibility, that I certainly will be no party to anything that will disparage these Lay Commissioners. I believe a set has been made against them by the Government, and for that reason I will stick to them. We will not have this condemnation passed against them without protest.

(5.22.) Mr. M. J. KENNY : I would ask the Attorney General for Ireland what he means by the words in the Amendment "any Commissioner acting alone"? They usually do act alone; but would not these words, if adopted, affect the jurisdiction in these cases where the Commissioners have to act together? Would they then be entitled to refer a question of law to the Judicial Commissioner for his opinion? It appears to me the restriction might have inconvenient consequences. I do not at all agree with Mr. Justice Bewley that he alone had the power of deciding a question of law. His decision occasioned a great deal of surprise, and it is not the construction usually placed upon the words of the Act. On the contrary, it appears that the function of the Lay Commissioners was little more than those of mere assessors. I quite admit that there is a great deal to be said against their deciding questions of law, and that for the Purchase Commissioners who know nothing about law it would be absurd to give them co-ordinate jurisdiction on questions of law with a man of legal experience and ability. I would point out to the Attorney General for Ireland that it is proposed by further legislation to alter the character of the Land Commission, and that in addition to the Judicial Commissioner there is to be a Land Judge, who would practically be a Judicial Commissioner. If this Bill should become law, as we may expect it to do either this year or the next, it will be extremely difficult to carry out this Amendment in practice, because there would be a confusion arising whether the Judicial Commissioner would have the sole power of deciding a question of law or be associated with the Land Judge. With regard to the latter portion of the Amendment, the Attorney General for

Ireland said it would save much time if the Lay Commissioners were allowed to go on with their own business and not be brought down to the Courts to sit beside the Judicial Commissioner to listen to him giving a decision, in which they have no part whatever. I think a great deal more time would be saved if, in carrying on the operations of this Act, all the business were carried on in the Four Courts, and not one portion of it there and another portion about a mile and a half away. This change would be greatly to the convenience not only of suitors, but to the members of the Bar practising in the Court.

*(5.28.) MR. MADDEN: There may be a great deal to be said for the last suggestion of the hon. and learned Member, but it does not arise on this Amendment. I must entirely disclaim, on the part of the Government, any desire or intention to disparage the non-Judicial Commissioners by this Amendment. But I would point out that it will be utterly impossible to have two Commissioners sitting with the Judicial Commissioners on questions of law, when you have the Judge nominated by the Lord Chancellor in addition to the present Judicial Commissioners. These two Judges might be sitting at the same time, and you could not have the two Lay Commissioners sitting with both. I would also point out that assessors do not assist the Judges on questions of law, and in this case only questions of law pure and simple could be decided by the Judicial Commissioner.

(5.32.) MR. MAC NEILL: How can these questions of law come before the Judicial Commissioner except on cases stated, and how can a Lay Commissioner state a case?

*MR. MADDEN: It will come before him under the new system as it comes before him now—on a memorandum submitted to him by the Lay Commissioners. Surely the hon. and learned Gentleman does not suggest that a conversation with two Lay Commissioners sitting beside the Legal Commissioner would be a better way than a carefully prepared memorandum?

MR. MAC NEILL: I do. The Judicial Commissioner may at times require to be further informed with regard to the facts, and some of these the Lay Commissioners may have dismissed from the memorandum as of no importance; and it is therefore desirable that they should be sitting beside him.

MR. M. J. KENNY: I would again ask the Attorney General what is the meaning of the words "acting alone?"

*MR. MADDEN: Each of the Commissions does, in fact, sit alone, but the words may be struck out.

MR. M. J. KENNY: Then I move to strike them out.

(5.35.) Amendment proposed to the proposed Amendment, to leave out, in line 2, the words "acting alone."—(*Mr. Kenny.*)

Agreed to.

Question proposed, "That the Amendment, as amended, be there inserted."

MR. M. HEALY: I move to leave out all the words of the Amendment after the first "Commissioner," in line 5.

Amendment proposed to the proposed Amendment, to leave out from the word "and," in line 5, to the end of the Amendment.—(*Mr. M. Healy.*)

Question proposed, "That the words 'and it shall not be necessary' stand part of the proposed Amendment."

(5.37.) MR. SEXTON: I would suggest to the Attorney General for Ireland that with a view to the increase in the number of Judicial Commissioners, although it is very unlikely that more than one of these will be dealing with questions of law at the same time, we might agree to have the assistance of the two Lay Commissioners if either of the parties interested so required. The right should, I think, be reserved to the litigant where he thought it advisable owing to the nature of the case or the complicated facts. Very frequently it is a technical matter referring to the value of land, and just as a Judge in an Admiralty Court is assisted by two old sea captains, so should the Judicial Commissioner have the assistance of the Lay Commissioners. I would therefore suggest that my hon. Friend should withdraw his Amendment and alter the concluding part of the Amendment by inserting after "necessary" these words "unless when any person interested shall so require."

*(5.39.) MR. MADDEN: I think the Amendment inadvisable, as it might have the effect of deranging the whole course of procedure. We therefore cannot accept it.

(5.40.) MR. M. HEALY: Under the Act of 1881 it was necessary that the three Land Commissioners appointed under that Act should sit together, and they have always done so, for the hearing of appeals. Tens of thousands of appeals have been heard under that Act, and it has never been suggested that that state of things should be put an end to, and that any one of these Commissioners should have this power. However optimistic the right hon. Gentleman is, I do not think he will suggest that the points of law under the Land Purchase Act can be equal to the number of cases arising under the Act of 1881, and, if it has been possible to preserve that provision of the Act of 1881 for 10 years, I do not think the right hon. and learned Gentleman need be at all apprehensive that there will be such a block of business in the Land Courts as he has suggested. The Land Purchase Commissioners have administered about £9,000,000 in some six years, and I venture to say that an extravagant estimate of the questions of law which have arisen is one per month. The Attorney General states that no useful purpose would be served by my hon. Friend's Amendment. But does he remember the Judgment of Mr. Commissioner Lynch, which two days ago I moved to be laid on the Table of the House? Does he remember that the question then was, the circumstances which constitute legal duress in compelling a tenant to purchase? This is the kind of questions most important from the tenant's point of view, and I quite agree that if either of the parties so require, the Lay Commissioners should sit with the Judicial Commissioner.

(5.45.) MR. M. J. KENNY: I am afraid there will be some confusion if we have the state of things under this Act and the state of things under the Act of 1885 going on concurrently. There will also be some difficulty in deciding whether the words "Judicial Commissioner" would refer to the Land Judge who may be appointed.

*MR. MADDEN: Oh, yes; they certainly would.

MR. SEXTON: As cases of duress are not of a technical character at all, I think it important that in such cases the three Commissioners should sit together should the litigants so require.

MR. M. HEALY: I will withdraw my Amendment, in order to allow my hon. Friend to move the words he suggested.

Amendment to the proposed Amendment, by leave, withdrawn.

Amendment proposed to the proposed Amendment, after the word "necessary," in line 5, to insert the words "unless when any person interested shall so require."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

(5.47.) The Committee divided: — Ayes 89; Noes 151. — (Div. List, No. 227.)

Amendment, as amended, agreed to.

(6.0.) MR. LEA (Londonderry, S.) (who had upon the Paper the following Amendment:—

"In page 10, line 34, at end, add,—

(1.) Nothing in section seventeen of 'The Purchase of Land (Ireland) Act, 1885,' shall be deemed to limit the jurisdiction of any member of the Land Commission under Part V. of 'The Land Law (Ireland) Act, 1881,' and the Acts amending the same, and anything done by any member of the Land Commission in carrying the said Acts into effect shall be as valid and effectual as if it were done by the Land Commission: Provided that any person aggrieved by the decision of any Commissioner acting alone in carrying the said Acts into effect, may require his case to be reheard by three Commissioners, of whom the Judicial Commissioner shall be one, but none of such Commissioners shall be the Commissioner before whom the case was originally heard.

(2.) Rules for carrying into effect the Land Purchase Act and this Act shall be deemed to be rules under "The Land Law (Ireland) Act, 1881,' and shall be made by a majority of the Commissioners, which majority shall include the Judicial Commissioner)":

Mr. Courtney, I am——

MR. M. HEALY: On a point of order, Sir, I wish to ask you whether, having regard to the title of this Bill, the Amendment of the hon. Member is in order?

THE CHAIRMAN: I should like to hear the Amendment explained before I give any decision.

MR. LEA: I am in some difficulty about the Amendment. When I came down to the House an hon. Member

suggested to me that the question of holidays depended very much on the course taken on my Amendment, and I have been urged to postpone the proposal until the Report. In deference to the strong feeling that has been expressed in all parts of the House, I will defer moving the Amendment till the Report stage.

MR. SEXTON: I can tell the hon. Member there will be a lively discussion on it when it comes on.

(6.3.) MR. M. J. KENNY: I beg to move the Amendment which stands in my name. It simply proposes to ensure that when the permanent organisation of the Land Commission is constituted those Commissioners who in the last 10 years have been engaged in carrying out the various Land Acts shall be the first to be appointed. There are altogether about 72 Assistant Commissioners in Ireland, 64 of whom are laymen, while about eight are Assistant Legal Commissioners. Something like one-tenth of the whole number have from, practically, the very beginning of the Act of 1881 been engaged in administering it, about three of them being lawyers, and seven or eight laymen. These gentlemen have devoted themselves exclusively for the past 10 years to the work of the Land Commission. The lawyers have ceased to practice and have cut themselves adrift from their profession, whilst the farmers and others have practically lost their former occupations. They have practically been Civil Servants for the last 10 years. I would urge that these gentlemen should be assured of employment. It would, I think, be absurd if, in the organisation of the permanent Department, a great number of gentlemen who have only been engaged for two or three years should be placed over the heads of those who have served for 10 years.

Amendment proposed,

At the end of the last Amendment, to add the words "Provided that the Assistant Commissioners appointed under 'The Land Law (Ireland) Act, 1881,' for a period of seven years, and each Assistant Commissioner appointed in the room of any Assistant Commissioner so appointed shall be selected under this provision in preference to any other Assistant Commissioners."—(*Mr. M. J. Kenny.*)

Question proposed, "That those words be there added."

(6.7.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): There is no doubt some force in some of the pleas urged by the hon. Gentleman, and no doubt they would be taken into consideration in the selection of the gentlemen under the Bill; but the Government do not bind themselves absolutely to do what the hon. Member asks, and they, therefore, cannot accept the Amendment.

MR. M. HEALY: I think the Committee will feel that the right hon. Gentleman has dealt in a rather summary and cursory manner with this important Amendment. These men have been engaged in working the Land Acts for the past 10 years. It is left entirely to the discretion of the Lord Lieutenant and his advisers to say whether they should be entirely cast adrift or whether, after they have served a long period of years and presumably done their work in a satisfactory and efficient manner, they should be again appointed. In the past nine years, ever since the Land Act of 1881, it has been necessary for the Lord Lieutenant to appoint the *employés* of the Land Commission from 12 months to 12 months, and regularly as the appointments have expired, they have been again made by the Lord Lieutenant. I think the Lord Lieutenant will be placed in an invidious position by having this duty imposed upon him.

MR. SEXTON: I rather think that the Chancellor of the Exchequer when he made his courteous reply could not have been informed of the very limited operation of the Amendment, and I certainly trust the right hon. Gentleman will see his way to give effect to the principle of seniority. There are 72 of these Commissioners, 62 of them only four years in the service, and 10 of them having been engaged since the Land Act was passed. There could be no question as to the choice of the latter, and there should be no objection to this Amendment being carried out.

MR. A. J. BALFOUR: I hope the Committee will not spend any more time in discussing a point which cannot, I think, be described as other than relatively trivial. There must be nothing to hamper the selection of the Executive in this matter, and any rule that would

tend to do so would militate against the Public Service. The hon. Gentleman opposite must know that seniority is in no sense a guide, and that ability must be taken into account.

MR. CHANCE (Kilkenny, S.): I would ask whether the right hon. Gentleman will agree to the Amendment if the words "as far as may be practicable" are inserted?

MR. A. J. BALFOUR: I cannot accept that. It would practically compel us to select Assistant Commissioners unless we had some specific complaint.

MR. M. J. KENNY: Surely the right hon. Gentleman ought to accept this Amendment, because it is only fair that those who have had to forego their ordinary avocations to become Civil servants should have the preference over those withdrawn after a period of 12 months.

MR. LEA: The question of administration under the Bill is one of extreme importance. I urge on the Chief Secretary that he ought to be very careful in making permanent appointments that the best men were chosen. I think that age and experience ought to be considered, and even if words were not put in the Bill distinctly affirming that, I trust that the right hon. Gentleman will see that the age and experience of the present Assistant Commissioners are fully taken into account. It is on that understanding only that I will vote against the Amendment.

(6.27.) The Committee divided:—Ayes 87; Noes 154.—(Div. List, No. 228.)

Question proposed, "That the clause, as amended, stand part of the Bill."

(6.40.) MR. SEXTON: It is greatly to be regretted that the Amendment placed upon the Paper by the hon. Member for South Derry (Mr. Lea) should not be considered during the Committee stage when it might be properly and effectively discussed, but should be reserved for Report stage when the opportunities of effective discussion are limited and the Amendment cannot be fully and thoroughly debated. The Committee has determined that the men who are to have the expenditure of vast sums of the public money, amounting probably to scores of millions, are to be practically left entirely to their own discretion in the disposal of these enormous sums. I think I am right in urging that the Amendment ought to be made according to the usual practice while the clause is under debate in Committee, because it is one that will have an important effect in revolutionising the procedure of the Land Commission. We who take a deep interest in this subject have certainly entertained the full expectation that the Amendment of the hon. Gentleman would be submitted in Committee. Is it to be said that by a manœuvre of this kind, without notice, the hon. Member has a right to withdraw an Amendment of such importance from the stage at which it can be fairly discussed and when hon. Members may listen to and reply to the speeches of Ministers, in order to postpone it to the eleventh hour of the procedure on this Bill when the few Members interested in the measure can only speak upon it once? For my part, I am not disposed to consent to such a state of things. If the hon. Member is not prepared to move his Amendment now, we shall hereafter insist that it shall be brought in as a new clause in Committee and not upon the Report. I should like to hear from the Government what is their intention with regard to this clause, because if it should be intended that an Amendment of this character shall be inserted in the Land Department Bill that would give some advantages which would, to a certain extent, compensate for its present omission.

MR. LEA: In reply to the hon. Member for West Belfast, I may state that I have only postponed the Amendment of which I gave notice in accordance with what I understood to be the general feeling of hon. Members on this side of the House, because, although I have had no communications from hon. Gentlemen below the Gangway, I have been in communication with hon. Members above the Gangway, which have led me to assume that in postponing my Amendment I was doing what would be for the general convenience of the House. I may add that I was somewhat induced to take this course from another motive, although I do not put that as the reason of the course I have taken. The Amendment originally stood in the name of the hon. Member for South Tyrone (Mr. T. W. Russell), and it was owing to his

illness that I consented to move it. I may also be allowed to state that I am supported by the strongly-expressed opinions of the people of Ulster, who have passed resolutions upon the subject in which they expressed their desire that some such Amendment as this is absolutely necessary for the good working of the Bill.

(6.45.) MR. A. J. BALFOUR: I do not wish to complain of the discretion of the hon. Gentleman in putting a question to me, not in regard to the clause as a whole, but in regard to the action of the Government when on Report the subject comes up again for discussion. The views of the Government upon the question of the constitution of the Land Commission and Land Department are now well known to the House, for they are embodied in this Bill and in the Land Department Bill. The hon. Gentleman said that he might be prepared to accept the Amendment of the hon. Gentleman opposite or the principle of it if it came on in the Land Department Bill, but he is not prepared to accept it in this Bill. I do not understand on what principle the hon. Gentleman acts. As far as I am concerned, it appears to me that if the provision is good when carried out in the Land Department Bill, it is good in this Bill. I think the hon. Member opposite is well advised in desiring to move his Amendment on Report rather than at the present stage.

MR. WADDY (Lincolnshire, Brigg): I think we ought to object to this clause, for we entertain strong views against multiplying the burden on the Consolidated Fund for purposes such as those mentioned here, because it means that we are removing from the control of the House matters which ought to be jealously watched.

(6.48.) MR. KNOX, Cavan, W.) The Amendment of the hon. Member is one which, if accepted, would be regarded by the whole of the farmers in a great part of Ulster as well as in other parts of Ireland, as absolutely disastrous to the successful working of the Bill. I have listened with consternation to the speech of the Chief Secretary, which seemed to imply his willingness to accept the Amendment of the hon. Member, or something like it. Nothing could be more disastrous, and it would be viewed with the greatest alarm by the farmers in all parts of Ireland.

THE CHAIRMAN: Order, order! That is not the question before the Committee.

MR. SEXTON: I, too, should like to protest against the decision at which the Government have arrived, and I give notice that if they countenance any attempt to introduce the hon. Member's Amendment into the Bill we shall offer the most strenuous opposition.

(6.50.) The Committee divided:—Ayes 149; Noes 87.—(Div. List, No. 229.)

Clause 11.

(7.0.) MR. SEXTON: I propose to move the omission of the 1st sub-section of this clause, in order that I may briefly state my views with respect to the constitution of the Body which, in this scheme, is to be charged with the duty of carrying into effect the provisions o the Bill. Before the Committee can come to any satisfactory agreement on this matter, considering the great extent of the operations to be undertaken by the Board, the nature and importance of those operations, and the poor population that will be affected, it is indispensable that further information should be given by the Chief Secretary as to the intended constitution of the Board. The Board will have control over a region which includes nearly the whole of the Western seaboard of Ireland, and the Committee ought to have some better security than has yet been given them that the Board will efficiently discharge the functions to be intrusted to them. On what principle I should like to know has the right hon. Gentleman come to the decision that Electoral Divisions in which the rateable value per head of population does not exceed £1 6s. 8d., should be treated as congested districts? I notice that the greater part of Donegal, Sligo, Mayo, Galway, and Kerry, and no small share of West Cork, and every county on the Western coast, except Clare, is to be included within the operation of these clauses, and therefore we ought to have some better security than we at present have for efficient discharge of the functions of the Board. I see no reason, moreover, why the limit of 20 years should be prescribed in the Act in respect to the

Board, especially as the payments under the Act are to remain for 49 years. I shall move to omit the words referred to, in order that the Board may be established without regard to any length of time. I must demur also to the principle of nomination contained in the clause; I think that, as it is of supreme importance that a Board should command the full confidence of the people, the mode of election should in some manner and to a large extent be in the hands of the people themselves or their Representatives. We want to know what manner of men are to be entrusted with these duties; will they be residents in the Western counties and in touch and sympathy with the people? Will they have had personal experience of the nature of the question to be settled and of the evils to be ameliorated by a wise administration of this Act? I trust the right hon. Gentleman will give us their names—why should it be a nominated Board? Look at the duties it will have to perform. It will have to consider the provision of aid for migration aud emigration; it will have to see to the proper settlement on their new holdings of the tenants migrated; it will have to find money for the amalgamation of small holdings; it will have to see to the supply of seed and oats either at cost price or by way of gift; it will have to develop agricultural and other industries including forestry: indeed all its functions are outlined in language so general that I feel unable at this moment to enter into a criticism of them. I shall, in order to raise this question, move that in addition to the five nominated Members of the Board there shall be five elected Members. That will give the Government a majority of two on the Board in the persons of the Chief Secretary and a Member of the Land Commission. I have not yet come to a conclusion as to the best mode of electing the Members, but I might suggest the desirability of leaving the choice in the hands of the Irish Members in this House.

Amendment proposed, in page 11, line 3, to leave out the words "Twenty years after the passing of this Act."—(*Mr. Sexton.*)

(7.13.) MR. A. J. BALFOUR: As the Amendment deals with but one point, I should perhaps not be strictly in order in traversing the wide field opened up by the hon Member. But, Sir, with your permission I will endeavour to explain the opinions of the Government on the various topics raised. The hon. Member first asked by what process I arrived at the method by which the congested counties are to be selected. The Bill of last year, as the hon. Member is no doubt aware, embodied the plan adopted by Lord Spencer's Administration in the year 1883, which at the time was considered a convenient though rough method of determining the area. But further examination convinced me that while some districts were excluded which ought to have been included other districts were included which ought to have been excluded. I therefore cast about for some self-acting automatic method of determining the districts with which the Bill should deal. It seemed to me that the best and indeed only satisfactory method of limitation was to choose the electoral divisions in which there was a very low valuation. At first I selected the limit of £1, but on working it out it became evident that the area which it would include was too restricted, and that a large district would be excluded which required dealing with. I therefore increased the limit by one-third, *i.e.* to £1 6s. 8d., that being about half the average poor rate valuation throughout the whole of Ireland.

MR. SEXTON: Can the right hon. Gentleman give the figures?

MR. A. J. BALFOUR: Yes. Under the first scheme with the £1 limit the total population of the districts which would be included is 244,448, the number of electoral divisions dealt with 152, and the operations of the Bill would have been confined exclusively to three counties, namely, Donegal, Galway, and Mayo. That evidently was too restricted an area. But under the Bill as it at present stands the population dealt with would number 565,000 (I am, of course, working on the Census of 1881), the number of electoral divisions would be 394, and the districts would include parts of the West Riding of Cork, Kerry, Donegal, Galway, Leitrim, Mayo, and Sligo.

MR. BRYCE (Aberdeen, S.): No part of Clare?

MR. A. J. BALFOUR: No part of Clare.

MR. SEXTON: Can the right hon. Gentleman give the total Poor Law valuation?

MR. A. J. BALFOUR: No, I have not that here, but I do not think it is material to any arguments that have been advanced. If there is any further information I can get I shall be happy to supply it. The reason why we introduce the limit of time is obvious, and, as I think, conclusive. We hope and believe that the operation of the Congested Districts Board will be to diminish the area in which congestion exists. If the Board succeeds, its task will in the course of time come to an end, and then the funds with which it has been intrusted will be set free for purposes in which the whole of Ireland may be concerned. We give the Board a sum of not less than £1,500,000 out of the Church surplus, the income from which is about £40,000 a year. The Board will have power, no doubt, to deal with the capital as well as the interest, but I shall be sincerely disappointed to find it necessary to exhaust the capital; and if they do not exhaust the capital, this sum will be available for Irish purposes when the Congested Districts Board has fulfilled its functions and purposes. Then the fund should be set free for other, and possibly more general, purposes. The next question asked me was—what lay members are to be appointed. I have, of course, given much thought to the question, and I have selected in my own mind the gentlemen whom I shall ask to serve on the Board; but I could not venture to give my invitation until the Committee had passed the clause under consideration. I have looked over precedents, and I find it is not customary to give the names of Commissioners while the measure from which they are to derive their powers is passing through Parliament; and in this case no harm will be done, and every purpose will be served, if the names are given on the Report stage. I agree this is information the House has a right to have before parting with the stage upon which details can be dealt with. I could hardly say to those gentlemen whom I have in my mind, "If the House of Commons passes the measure will you serve?" I have thought it more fitting, more regular, more in accordance with precedent, to wait until a provisional sanction has been given to the plan of the Government before asking these gentlemen whom I have in mind to undertake the duties and accomplish the ends for which this Bill is introduced. As to the question of there being an elective element on the Board, I frankly admit I am of opinion that this part of the Bill should be, as far as possible, divorced from anything in the nature of politics. I entirely agree our first object should be to secure the services of gentlemen who are well acquainted with the West of Ireland and the people. They should be sufficiently in touch with the feeling of the people to secure their sympathy in any effort they may make to carry out the beneficent objects we desire to see accomplished. But I do not think the end would be attained by introducing in this matter the elective element. We have ample experience of the work of Boards both in England and Ireland, and we have to consider that here the Board will have to deal with large sums of public money which are to be distributed through various constituencies, and I should be sorry if those concerned in this grant in a Parliamentary or a political sense should feel that they could be applied to by their constituents to get a larger slice of the public cake than otherwise they would obtain. Let us, in attempting to carry out the objects in view, avoid hampering the Bill with the electoral element, which would in the first place make the Board far too large for practical purposes, and would also, I fear, by the introduction of politics, hamper the members of the Board in view of the opinions of their constituents and the influences which might be brought to bear for securing pecuniary advantages to a locality from this large sum of public money. These are the views which I hope I have uncontroversially stated which have induced the Government to take the course they have adopted, and I trust the hon. Member will not consider it necessary to press the view he has put forward with great moderation.

(7.25.) MR. SEXTON: The financial duties of the Board will not expire in 20 years. The whole scheme is founded

on the idea that this Congested Districts Board will be in a position to act as long as the purchase advances are running, namely, for 49 years. In order to make the clause reconcilable to common sense these words should be left out.

MR. A. J. BALFOUR: I would agree to a provision that the term should expire unless Parliament should otherwise determine — a provision, in short, to show that the appointment of the Board is not made for all time. We are dealing with a Board appointed expressly for the purpose of abolishing a particular state of things; and to make this Board eternal, so to speak, is to imply that we are never to succeed in our object. I think it is extremely likely that the Board will not accomplish its purpose in 20 years; but still I do not wish to make the Board permanent, and I will not adopt any suggestion which will give more elasticity and not stultify our great object in view.

MR. SEXTON: Of course nothing human is eternal; but we must remember that though the main object of the Board should be accomplished in the course of years, there will still be functions for the Board to perform—a decision will have to be arrived at as to what shall be done with the money before the Board passes out of existence. Gulfs will have to be filled up, and many arrangements made. The right hon. Gentleman is willing to insert "For 20 years, or until Parliament shall otherwise determine?"

MR. A. J. BALFOUR: Yes; I am quite willing to do that.

MR. SEXTON: And then there is the question of the names.

MR. A. J. BALFOUR: It can hardly be expected, I think, that I should give the names of gentlemen who have not yet been applied to. That would not be fair to them.

MR. SEXTON: It would greatly add to the force of the letters of invitation the right hon. Gentleman proposes to write if the names were received with applause in the House. As to the question of elected members, I may say personally I do not think there is the least danger of these evils to which the right hon. Gentleman has referred. Let the election be with the Irish Members, who are quite as anxious as the Government or the right hon. Gentleman to meet the real needs of the people in the West of Ireland, and the right hon. Gentleman need not trouble himself that the elected members will be influenced by considerations other than those of humanity. The men elected need not be politicians; but if you give Irish Members this small power, I am sure the right hon. Gentleman will find that it will result in the nomination of men better able to discharge the functions of the Board proposed to be established than any he could name. I am disposed to accept the compromise the right hon. Gentleman has suggested, but I shall feel it my duty to press for the elective element in the appointment of the five unofficial members.

(7.30.) MR. M. HEALY: Upon the limitation of time I may observe that no provision is made for what shall be done when the 20 years expire, and it is almost essential that the Board should continue longer. Much business will remain to be transacted, annuities to be paid, loans and advances to be adjusted, outstanding liabilities and assets to be dealt with, and things of that kind, by some Act of Parliament in the nature of a winding-up Act. That being so, I think the form is immaterial, whether you add the words suggested by the Chief Secretary, or strike out the words as suggested by my hon. Friend. One thing we cannot do—that is, leave the clause as it stands, providing that the Board shall lapse at the end of 20 years, and making no provision as to what shall happen then.

MR. M. J. KENNY: Doubtless, it will be necessary to come to Parliament to wind up the affairs of the Board at the end of the period of its operations, but it is also certain that 20 years will not suffice for the work of the Board. With a view to meeting that winding up which, in the natural course of events will be necessary, may I suggest that a temporary continuance might be expedient, and we might provide for this by adding, after the words "for 20 years after the passing of this Act," the words "or such longer period as the Lord Lieutenant in Council shall from time to time determine."

MR. A. J. BALFOUR: I think the view of the hon. Member for West Belfast and his friends will be met by

the words "For 20 years after the passing of this Act and thereafter until Parliament shall otherwise determine."

Amendment, by leave, withdrawn.

Amendment proposed, in page 11, line 3, after "Act," to insert "and thereafter until Parliament shall otherwise determine."—(*Mr. A. J. Balfour.*)

Amendment agreed to.

Amendment proposed, in line 7, after "agriculture," to insert "forestry."—(*Mr. A. J. Balfour.*)

Amendment agreed to.

(7.35.) MR. SEXTON: To test the sense of the Committee on the principle that a Board with these powers and functions should have an elective element upon it, that it may command the confidence of the people among whom it is to carry on its operations, I move this Amendment.

Amendment proposed,

In page 11, line 7, after the word "agriculture," to insert the words "of five members, to be elected in the prescribed manner by such of the Members of the Commons House of Parliament as represent constituencies in Ireland."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

MR. M. HEALY: Surely we ought to have some reply to this. The matter is hardly disposed of by saying it is desirable to keep the Board non-political. There need be no apprehension on this point. We are entitled to assume that an electorate such as my hon. Friend suggests would make their selection on the best possible grounds, and with the best possible motives; but if the right hon. Gentleman objects to this particular mode of election, perhaps he will offer some alternative method, for I suppose my hon. Friend is not absolutely wedded to this particular proposal. It might very well be that other bodies—such, for instance, as Boards of Guardians—should have a voice in the determination. On Boards of Guardians the Political Party to which the right hon. Gentleman belongs is largely represented, so he could not complain that any selection they could make would be influenced by motives he would consider improper. All we contend for is that there should be some elective element introduced into this Board. Surely the right hon. Gentleman desires that this Board should command public confidence in Ireland, and particularly in the districts where the Board will carry on its operations. The elective element will secure this public confidence.

*(7.38.) MR. SHAW LEFEVRE (Bradford, Central): I apprehend the object of the Amendment is rather to elicit the names of the persons to be nominated——

MR. SEXTON: No, the elective element is quite apart from the official nominations.

*MR. SHAW LEFEVRE: At all events, the effort has been made to draw from the right hon. Gentleman the names of the nominated members. I will only say that precedent is against such a course being taken at this stage I take it, however, that the Chief Secretary will give the names on some future stage of the Bill?

MR. A. J. BALFOUR: Yes, on Report.

*MR. SHAW LEFEVRE: And may I venture to suggest that in making their selection the Government should consult Irish Members as to, at least, two or three names? I am sure that would give satisfaction in Ireland if the right hon. Gentleman does not see his way to adopt the elective principle. It would be in accordance with custom to consult Irish Members before asking gentlemen to serve.

(7.40.) MR. MAC NEILL: As representing one of the most congested districts, and having regard to the welfare of the poverty-stricken people, I feel bound to insist upon the importance, in the functions this Board will discharge, of its members being in full sympathy with the people they desire to assist. Dealing with such questions as migration and emigration and the other matters in contemplation, philanthropy will have no success unless the people have full trust in the machinery employed. Upon this ground I strongly urge, the adoption of the elective principle. As regards any embarrassment to politicians, I do not think that should be considered for an instant. God knows, I would risk any embarrassment and prejudice to political position, and would sacrifice any small personal ambition if I could be in any way instrumental in bring

ing, in the slightest degree, peace and relief to these suffering people. Political relations will not enter into the matter so far as we are concerned. If any man shows me that he is actuated by the motive to improve the condition of our people, I am heartily with him in the work. I do not think of his political opinions when he is engaged in the noblest of all tasks, that of helping his fellow-men. Political questions will not come from us; they have not come from us hitherto. The chief person who has endeavoured to introduce political matter into this congested district legislation is the Marquess of Salisbury himself. He has used the Congested District Board in political speeches for political purposes. I simply make this observation—that politics on this subject will not come from us. We can trust the good sense of the people to know who are trying to do the best for them; we can trust to their rectitude and principles, and we know that any attempt to bribe them by relief will be as unsuccessful as such efforts have been in England. As interested in Donegal, I must ask the right hon. Gentleman through what medium, by what channel, is this public money to be administered? It is not charity, it is money of the State diverted to meet the sad necessities of the people, which are in themselves the condemnation of your administration in the past. I shall have more belief in the benevolence and philanthropy of the Government when I know who is to administer this fund. The right hon. Gentleman is no novice in these matters, and he must know how many Boards have been unsuccessful; let him in this case, in which our desire to help the people is not second to his, place some confidence in us—he cannot treat Irish Representatives as mere children, and proceed on the assumption that he knows what is good for the people, and we do not. The composition of the Board is of the utmost importance when we consider, and we cannot forget it, that in these very districts scenes of atrocity have been perpetrated, not, at all events, without the sanction of the Government. I think the right hon. Gentleman might meet us fairly in this matter.

(7.50.) MR. A. J. BALFOUR: I am afraid some of the observations of the hon. Gentleman were not entirely of that non-political character he recommends. It is not possible to give the names of the gentlemen whom it is proposed to invite to join this Board. The principle of selection, however, will be to obtain as representatives men who have endeavoured to carry out public relief work in the West of Ireland, men of good capacity who have shown an active interest in the welfare of the rural population in Ireland. It is not proposed, however, to secure the services of men who have been mixed up on one side or the other with the unhappy differences which have divided society in the West of Ireland, as elsewhere in Ireland. Political convictions may be entertained of course, but I do not think it will conduce to the good working of the Board that any of its members should have been in the past in any way associated with the acrimonious disputes which we have had occasion to deplore.

MR. MAC NEILL: Really I am amazed. Has not the right hon. Gentleman taken prominent place as a political partisan, and is he not to be the President of the Board? Will he alone merge the politician into the philosopher and philanthropist?

MR. A. J. BALFOUR: The hon. Member appears to forget we are discussing the nomination of members.

MR. MAC NEILL: It is a ridiculous idea to suppose that a politician cannot be a member of the Board. A man without political leanings is often the most prejudiced. Let us leave political considerations out of view, let us select men who will have the confidence of the people, let the elective principle be conceded, and let us know the names of those gentlemen, or some of them who have been selected. Is Mr. Tuke, whose name is familiar to us in connection with Irish emigration plans, one of those gentlemen selected? We must have some control over the money. The right hon. Gentleman, I am sure, will not try to make political capital out of the matter, but can he guarantee that his friends will not?

(7.56.) MR. M. J. KENNY: I believe everyone in Ireland is anxious that the work it is proposed this Board should take in hand should be properly executed, because every per-

son feels that for many years past the settlement of the question of the congested districts has been a most difficult problem. Unfortunately, it is too much the practice in Ireland to entrust every public function to Boards nominated by the Crown or by its Representatives. The results we can see by looking at the works carried out there, and I greatly fear that if the Congested Districts Board is to be a purely nominated Board we shall find their operations will not be more satisfactory than the operations of other Boards nominated on similar principles have been. It has been said that the Board of Works have to administer the money of the British taxpayer, but here you propose to do an exclusively Irish work with exclusively Irish money. The Congested Districts Board have to work on the Irish Church surplus, and that is a purely Irish Fund paid by the tithe-payers of Ireland previous to the disestablishment of the Irish Church. There is left £1,500,000, and it is proposed to use the interest for the benefit practically of those who subscribed the money. This work, then, is to be carried out by a Board which is to be nominated by the Chief Secretary for the time being, and he is to be Chairman of the Board. Anything more calculated to lead to unsatisfactory, if not disastrous, results, could not be conceived. We do not ask that the whole Board shall be elected; we simply ask that the wishes of those who are to be operated on shall be to some extent consulted. I will not enlarge upon the functions of the Board. Something like 500,000 of the poorest people in Ireland will be deeply affected by the operations of the Board, and what indications do we get from the right hon. Gentleman that suitable persons will be chosen to compose the Board. We get an indication that some of those associated with works of certain character will be selected, persons who have become notorious by organising emigration schemes. I believe that instead of proceeding on the lines of emigration you will find it better to proceed on the lines of migration. Certainly you have only to come in contact with public opinion to ensure the failure of the operation of the Board.

MR. SEXTON: After the engagement of the right hon. Gentlemen to give the names of the proposed Commissioners on the Report stage of the Bill we shall not divide upon that point, but we shall divide upon the Amendment before the Committee.

(8.3.) The Committee divided:—Ayes 44; Noes 90.—(Div. List, No. 230.)

(8.10.) MR. SEXTON: The Chief Secretary takes power for the Crown to appoint two or more persons to be temporary members of the Board. The right hon. Gentleman has previously expressed a wish that the Board should not be too cumbrous, and I will now move to add after the words "two or more persons," the words "not exceeding five."

Amendment proposed in page 11, line 13, after "persons" to insert "not exceeding five."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

MR. A. J. BALFOUR: I imagine that the power will be sparingly exercised by the Crown for the reason I have already stated to the Committee. I, however, have no objection to the Amendment.

Question put, and agreed to.

MR. M. HEALY: In the first part of the clause it is provided that there shall be one member of the Board who shall represent agriculture. The Committee have added the word "afforesting." Is the second portion of the clause it in provided that two or more persons may be appointed to represent "fisheries, agriculture, or other special matters." What is the meaning of the repetition of the word "agriculture" and the non-inclusion of "fisheries" in the first part of the clause?

MR. A. J. BALFOUR: The idea is to have a small and permanent Board consisting of five members, one of whom shall especially represent agriculture. It is thought well that we should temporarily have expert information.

(8.15.) MR. CHANCE: What is to be the tenure of the members of the

Board? There is not a solitary word in the clause to show whether these men are to be appointed for life or for five minutes. You may get on the Board gentlemen like Lord Clanricarde, Mr. Ponsonby, or some such characters; or, at any rate, you may have gentlemen appointed who will not attend, and there does not seem to be the slightest power given either to discharge them from serving on the Board and to appoint fresh members, or to supplement the Board by fresh members. Then we may wish to get rid of gentlemen appointed. We may have men on the Board who may think that emigration is the best plan to adopt, or others who think it well to spend everything on fisheries. Under the circumstances it seems there ought to be some indication, no matter how slight, on the face of the clause as to what the tenure of these gentlemen shall be, and how any of them can be got rid of.

MR. A. J. BALFOUR: I presume the tenure of the members of the Board will be the same as the tenure of members of other Boards. The Board of National Education is very analogous in many respects. I imagine the tenure of the two Boards will be the same; but I will inquire into the matter, and if the tenure is not the same I will take care it is made so.

MR. M. HEALY: Under the 2nd sub-section there are to be what are called temporary members of the Board. There is no Board in Ireland having members of such a character as temporary members, and I think the point raised by my hon. Friend is a perfectly just one. What we ask the right hon. Gentlemen is, what is to be the tenure of the temporary members of the Board. I would suggest that the 2nd sub-section should be amended by the addition of the words—

"And also in the same manner to appoint for a period specified in the warrant, two or more members to be temporary members of the Board."

MR. A. J. BALFOUR: I accept that.

THE CHAIRMAN: That is out of Order. The Committee have already agreed to the words "not exceeding five."

MR. SEXTON: The wording as to the temporary members is unfortunately very clumsy. The right hon. Gentleman suggests temporary members, and then he defines their temporary character by referring to fisheries and agriculture, which are not temporary but permanent.

MR. A. J. BALFOUR: The agricultural or fishery work of the Board may be of a temporary character, and it is desired that when such work does arise, the permanent members shall have temporary expert assistance.

MR. CHANCE: It is hardly fair to the Irish Members that the duty should be thrown on them of making the clause workable.

MR. A. J. BALFOUR: It is perfectly workable.

MR. CHANCE: The right hon. Gentleman will have an opportunity of ascertaining that in the next 12 months. He admits that he does not know what the tenure of office of members of the Board will be. He presumes it will be like that of the members of another Board, but I am afraid he is not in a position to inform the Committee what the tenure of the other Board is. I should like to know whether the temporary members can form part of the quorum of three, and whether the temporary members will be able to vote. It is not fair to the House to ask it to give £1,500,000 of public money to a Board as to the composition of which it knows nothing.

MR. MACNEILL: It is quite evident the right hon. Gentleman does not know or care what the tenure of office or the functions of the members of this Board are to be, and he does not think it worth while to consult the Castle Officials in this matter. Will the right hon. Gentleman be able, after the short adjournment which usually takes place about this time, to give us a rough sketch of the constitution of this Commission?

(8.25.) MR. M. HEALY: I beg to move to insert the words—

"A temporary Member of the Board shall hold office for such period as may be mentioned in the warrant appointing him."

Amendment proposed,

In page 11, line 15, after "matters" to insert "a temporary Member of the Board shall hold office for such period as may be mentioned in the warrant appointing him."—(*Mr. M. Healy.*)

Question, "That those words be there inserted," put, and agreed to.

MR. SEXTON: I think it is desirable that some short code of rules should be drawn up for the guidance of the Board, and I would suggest that such rules should be made by the Lord Lieutenant in Council.

MR. M. HEALY: I presume that the Board will have a seal, and therefore I should like to know why the orders of the Board are not to be given under its seal, but are to be signified under the hands of three members.

MR. A. J. BALFOUR: My view is that as the Board by common consent is to perform a great many important duties, it is necessary three members of the Board should be concerned in every one of its corporate functions.

(8.31.) MR. CHANCE: Under the clause as drawn, the Board will have no power to make rules, which will be of binding force even upon themselves. Either the right hon. Gentleman the Chief Secretary does not regard the Bill seriously, or else he desires that these gentlemen should make ducks and drakes of the public money.

Clause, as amended, agreed to.

Clause 12.

MR. SEXTON: We now pass from questions relating to the constitution of the Board to the financial scheme in relation to Part 2 of this Bill. This part of the Bill is intended to operate within an aggregate area of seven counties, containing a population of about 500,000, and the amount that would be required under this Act would be about £44,000 per annum. Now there are one or two points in reference to this clause upon which hon. Members on these Benches would be glad of some information. First of all I should like to know whether inside these congested districts the operations of the Land Commission and the Congested Districts Board are to go on side by side. If this is to be so, we ought to have some clear and definite explanation as to what will be the effect of these joint operations. For example, there may be what I may term double defaults arising within these districts, namely, defaults under the ordinary working of the Land Purchase Act, and defaults also under this special portion of it. Perhaps the right hon. Gentleman will inform us whether these defaults will be lumped together and taken as constituting one charge of the counties, or whether they will be dealt with separately. The matter is one which I imagine will need closer attention on the Report stage than it has yet received, or is likely to receive, in Committee.

THE CHAIRMAN: I would point out to the hon. Member that this is a matter which would be more appropriately dealt with on the next clause.

MR. SEXTON: I am always anxious to abide by your decisions on points of procedure, and I shall therefore confine what I have to say to asking for the information I think we ought to receive from the Government. I should like to know what are to be the resources of the Congested Districts Board. I should be glad to know what is the present amount of the Irish Church Surplus Fund, and, secondly, in what counties it is to be applied. I observe that by Sub-section 4 of this clause two sums are provided from the Irish Reproductive Fund and the Sea and Coast Fisheries Fund, and I should like to hear what is the present amount of those funds. Then, looking at the nature of the functions to be discharged by the Board, it seems to me that £40,000 a year will hardly be sufficient to meet all the purposes provided for in this clause. I will move to leave out the first subsection.

MR. CHANCE: I have an Amendment which should come first. (8.40.)

(9.20.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*MR. MADDEN: The Bill assumes that the Irish Church Surplus is able to bear a charge of £1,500,000. This

implies that it exceeds that amount. The resources placed at the disposal of the Congested Districts Board will be the interest at $2\frac{3}{4}$ per cent. on this sum, as referred to in the clause, and the Irish Reproductive Loan Fund and the Sea and Coast Fisheries Fund.

MR. CHANCE: I beg to move after the word "fund," in line 23, the insertion of the words "in favour of the Congested Districts Board." At present the section seems absolutely meaningless. A charge has to be made, and you must make it in favour of some individual or Corporation. In this case obviously the charge would be made in favour of the Board.

Amendment proposed, in page 11, line 23, after "fund" to insert "in favour of the Congested Districts Board."—(*Mr. Chance.*)

Question proposed, "That those words be there inserted."

*(9.26.) MR. MADDEN: I think if the hon. Gentleman will read the sub-section and the next he will see that adequate provision has been made. In the first place the capital sum is charged on the Church Surplus Grant, and bears interest at $2\frac{3}{4}$ per cent. per annum, and the first sub-section provides—

"And such interest shall, so far as not required for the purposes of the Guarantee Fund, as hereinafter mentioned, be placed at the disposal of the Congested Districts Board for the purposes of this Act."

Then the next sub-section directs that—

"The interest on the Church Surplus Grant shall be paid by the Land Commission at such times as the Treasury direct, and so far as not for the time being required, may, under the directions of the Treasury, be invested, and the income of such investment shall be dealt with as if it were the said interest."

So that the intention is that it should be at the disposal of the Board.

MR. CHANCE: But there is not one word directing that this charge shall be in the Board's favour, nor does the section contain a solitary word directing either that the interest should be paid to them, or more properly, that it shall be applied as they may direct.

Mr. Madden

*MR. MADDEN: The intention of the Act is that the money should be placed at the disposal of the Congested Districts Board for the purposes of the Act. I will consider the criticism of the hon. Member, and will take care that the proper provision is made.

Amendment, by leave, withdrawn.

(9.31.) MR. SEXTON: I should like the Committee to consider what the Board is to do with the £40,000. It is to assist emigration or migration, place the emigrants or migrants under favourable circumstances to obtain the means of living, supply money for the amalgamation of holdings, make good any loss on amalgamation, provide seed potatoes, and develop agriculture and other industries. But the first function of the Board is the afforestation of tracts of land. All that you hope to do for £40,000. I think that is absurd. I do not think any human being concerned in the drafting of this Bill has applied his faculties to considering how far the amount placed in the hands of the Board will go. Why should this £1,500,000 of money lie up for years? You only propose to use the interest upon it. If you are going to try a large scheme of afforesting—and in the matter of timber Ireland is worse off than any country in Europe—how can you do so with £40,000? The sum will go no length at all. I think you ought to take power in the Act to use—

"Such portion of the principal sum as from time to time the Lord Lieutenant, with the sanction of the Treasury, may think fit."

and I move to add those words.

Amendment proposed,

In page 11, line 23, after the word "Fund," to insert the words "and such portions of the said capital sum as the Lord Lieutenant, with the sanction of the Treasury, may from time to time appoint."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

*(9.38.) MR. MADDEN: The hon. Gentleman has raised a question of great magnitude and importance. I am quite sure my right hon. Friend the Chief Secretary, who, for the moment, is absent, would be very glad indeed to augment from any available source, the sum available for the purposes of this

portion of the Bill. I, however, cannot pledge the Government in this matter. How far the House would be disposed to allow the principal of the Irish Church Surplus to be made use of by way of loan or otherwise is a subject worthy of discussion, and I am sure my right hon. Friend will listen with the greatest attention to anything that may be advanced on the point.

(9.40.) MR. M. J. KENNY: I think we ought to have a more definite statement from the Government.

MR. MAC NEILL: The right hon. Gentleman not long ago made an observation that was construed by Gentlemen on this side of the House as meaning that he was prepared to appropriate not merely the interest, but the £1,500,000 also to the works contemplated in the congested districts portion of this measure. The Bill aims at emigration and migration, the consolidation of small holdings, and the giving of technical instruction in agricultural districts. Ten months ago the Chief Secretary said the capital of the Church Surplus Fund was to be appropriated to the congested districts. Now the Attorney General for Ireland is adroitly put up to say only the interest of the money is to be used. As this matter has been in incubation for two years, surely the right hon. Gentleman need not change his mind at the last moment, as he appears to have done. I appeal to the Government to let us appropriate the capital as well as the interest.

(9.45.) MR. SHAW LEFEVRE: I would suggest that some portion of the capital of the fund should be set apart for works of a permanent character.

MR. A. J. BALFOUR: I will explain how the matter stands. Hon. Gentlemen are perfectly accurate in supposing that the original idea was that not only the interest but the capital should be devoted to these purposes. When I said so I had in my mind the Bill of last year. But the reason which made me modify the Bill of last year, and which at the moment escaped my recollection, was that you cannot carry on land purchase unless you have a Guarantee Fund, and you cannot have a Guarantee Fund in the congested districts unless half of it is supplied by the Church Surplus Fund. If the Commissioners undertook large schemes they might run away with a million or a million and a half of money in a short time, and not leave anything to form half the Guarantee Fund for land purchase. Land purchase, after all, is the main object of our Bill, and anything which destroys that hits the Bill in a vital part. The sum of £40,000 a year is not an inconsiderable sum of money to spend among a population of 500,000; and, on the whole, we prefer the scheme we have now adopted instead of that of last year. I would point out that if it be not expended in one year, the surplus can be expended in the following years, so that if the Commissioners had a scheme costing £200,000 they could carry it out by accumulating the income for five years. If you choose to give your Board power to spend and possibly to squander the capital of your fund you will diminish and destroy the whole land purchase scheme. If, on the other hand, you choose to adopt the scheme which we have felt ourselves compelled to propose, you will have the land purchase scheme untouched, and will have the sum of £40,000 in one year, £80,000 in two years, £120,000 in three years and so on, to spend on any scheme which the Board think it will be wise to carry into effect. As between these two rival projects, and I do not think there is a third, I think we ought to decide upon the one we have adopted in the Bill.

(9.50.) MR. SEXTON: I do not think the right hon. Gentleman is limited to the two; there is a third plan better than either. It is not a choice between having no guarantee on the one hand, and locking up the whole of the money on the other. The right hon. Gentleman seems unable to detach his mind from Part 1 of the Bill with which we have been long occupied. He argues as if he were dealing with the £1,200,000 Guarantee Fund and the £30,000,000 Stock, where one being the multiple of the other, if you diminish one you diminish both. The right hon. Gentleman has become so habituated to his argument on Part 1, that he will not consider the taking of a shilling of the fund. But observe there

is nothing to suggest that £40,000 will necessarily be required for the purposes of guarantee in the congested districts. For all we can tell a much smaller sum may be sufficient. There is no such relation between the £40,000 and the capital as between the £1,200,000, and the £30,000,000 in the other part of the Bill. There may be, of course, a call upon the guarantee in the congested districts, but it is only a quarter, and not a half, of the default that will fall upon this special guarantee; half is paid out of the landlords' guarantee; of the other half, half is paid by the rates, so that a quarter only of the default ever falls upon the £40,000. That diminishes the demand by one-half. Then what I suggest is that from time to time, (of course I did not intend it immediately) for matters of public importance a demand shall be made on the capital under the sanction of competent Irish authority. I do say that to deprive yourself, as far as you can, of capital, and say that it shall be absolutely locked up for 20 years, no matter what meanwhile may be the necessities in Ireland, is an absolutely fatuous course to pursue. Why should not the Lord Lieutenaut be able to draw upon the capital for purposes relevant to the congested districts scheme? If the experience of two or three years shows you that the guarantee will not be drawn upon to any great extent by reason of default, then you can proceed with greater confidence, making larger demands upon it for purposes of practical utility. Having accumulated a sum to secure you against default, you then may take power to appropriate part of the capital for migration, emigration, and the other objects in view. If you migrate a man you must find him the means of living on his new holding, if you emigrate him you must start him in life after paying his passage money, if you amalgamate holdings you must find the money. How are you to touch the great scheme of afforestation? Why, afforestation to be useful in the West of Ireland means covering miles and miles around the wild bays of the bleak sea coast. If you intend to set seriously about the work, and not merely play with the difficult problem before you, you must certainly leave yourself free to use your capital, and not lock it up, willy-nilly, in this way.

MR. A. J. BALFOUR: This is the first time I have heard a grant of £40,000 a year for 20 years in aid of a population of 500,000 spoken of as mere "play." The hon. Gentleman could not get such a grant for any other equal population in the United Kingdom.

MR. SEXTON: It is Irish money.

(9.55.) MR. M. HEALY: This Church surplus is an expansive fund; some years ago we were given to understand it was nearly exhausted, and yet we now find that there is an amount of £1,500,000 available. It may be there will be a future expansion still, and even if the right hon. Gentleman persists in somewhat obstinately adhering to his clause, so far as it relates to the £1,500,000, at any rate, he might free his hand as regards any future expansion which we may find in the next few years, and we do not know what new developments may be in store for us. At least, let the right hon. Gentleman leave himself free to that extent. He says £40,000 is a large sum for the purpose, but we know what large sums have been expended in the congested districts, and how little has been accomplished. If you consider the nature of the duties of the Board, the various objects they have to promote, I think you will find that the sum of £40,000 will not go a long way in dealing with the enormous problem presented by these congested districts in Ireland. I think the right hon. Gentleman will find before he has his scheme at work very long that a little more elasticity is desirable. This Amendment pledges the right hon. Gentleman to nothing; it leaves the matter in the hands of the Lord Lieutenant to deal with the fund in a practical manner.

(10.0.) The Committee divided:—Ayes 47; Noes 95.—(Div. List, No. 231.)

Verbal Amendments (*Mr. Chance*) agreed to.

(10.14.) MR. M. HEALY: In Subsection 3, Section 20 of the Arrears of Rent (Ireland) Act, 1882, and Section 12 of the Tramways and Public Companies

(Ireland) Act, 1883, are repealed. These I take it have become obsolete. There is a provision in the Land Act of 1881, in relation to emigration which is equally obsolete, Section 32, and, now that he is concentrating all the powers in relation to emigration, I would suggest that the right hon. Gentleman should include this section in this repealing provision. It has, I think, never been acted upon.

Amendment proposed, in page 11, line 32, after (3) insert "Section 32 of the Land Law (Ireland) Act, 1881, and."—(*Mr. M. Healy.*)

*MR. MADDEN: It never was, I think, an operative section. I see no reason why it should not be repealed.

Amendment agreed to.

(10.16.) MR. SEXTON: Sub-section 4 provides that the Irish Reproductive Loan Fund and the Sea and Coast Fisheries Fund shall be placed at the disposal of the Board for the purposes of this Act, but shall be applicable only in any county in which the fund is before the passing of this Act applicable; will not the effect of this be that the Congested Districts Board will seize the whole of these funds, but the funds will only be applicable in certain counties, so that though the Board takes the whole, they can only spend part? What is the effect and intention of this sub-section?

SIR G. TREVELYAN (Glasgow, Bridgeton): I should have imagined from the sub-section that only that part of the Irish Reproductive Loan Fund would be taken, which was allotted to the counties in which the Board operates, but in those counties would the whole of the allotment of the Reproductive Loan Fund be taken and applied to that part where there is the congested population? I should also like to know how much remains of these funds.

MR. A. J. BALFOUR: The assets of the Sea and Coast Fisheries Fund are —Government Stock, £19,189; amount of outstanding loans, £16,006; cash in bank, £3,586; total, about £38,780. Of the Irish Reproductive Loan Fund the assets are—Consols, £43,524, estimated at par; cash, £2,591; amount outstanding on loan, £19,121. As to the question of the hon Member for West Belfast, I think probably the clause will have to be amended to prevent a county suffering loss by the handing over of the money to the District Board. I have had a calculation made as to the amount the counties will absorb, and I think we should withdraw from the power of the Congested Districts Board the amount which the existing Commissioners are to distribute, as they have in the past.

(10.20.) MR. M. HEALY: There is another matter to which I wish to allude. Under the Tramways and Public Companies Act the Treasury made a free grant of £200,000. I do not know to what extent that sum has been availed of, but any surplus there is I think should be placed at the disposal of the Congested Districts Board. An hon. Friend informs me that £40,000 is still unexpended. I think the Chief Secretary will see it is only fair that that sum should be available.

MR. A. J. BALFOUR: I think it ought to be; and I will see that it is.

MR. SEXTON: What about Sub-section (4)?

MR. A. J. BALFOUR: The Congested Districts Board will only be given control over those parts of the fund which have hitherto been allocated to the congested district counties.

MR. CHANCE: I propose to insert, after "Board," in line 41, "and shall be applicable, in the first place, for the purposes of the said Act, and subject thereto." The sub-section transfers to the Congested Districts Board the powers exercised by two other bodies. Then it reserves to the new Board the right to apply a portion of this fund in the counties to which the fund was already made applicable. But it goes further, for it enables the new Board to take the whole of this money from the objects mentioned in the Act, and to apply it to the consolidation of holdings in one county. The sub-section would enable the new Board to disregard wholly the objects of the bounty of a previous Par-

liament, and to apply the whole income to the consolidation of holdings in one county, leaving all the other counties out in the cold. I think that only the surplus which exists after satisfying the primary objects for which the money was given, should be applied to the new objects under this Act.

Amendment proposed, in page 11, line 41, after "Board," to insert "and shall be applicable, in the first place, to the purposes of the said Act, and subject thereto."—(*Mr. Chance.*)

Question proposed, "That those words be there inserted."

(10.30.) MR. A. J. BALFOUR: I hope the hon. Gentleman will not insist on the Amendment. He will recollect that the origin of these Acts was that the charitable bonuses given to Ireland many years ago should be entirely expended on charitable purposes. Now that we are to have a Congested Districts Board, I think we ought to give them an unfettered hand in dealing with congested districts.

Amendment, by leave, withdrawn.

Question proposed, "That the Clause, as amended, stand part of the Bill."

(10.33.) MR. CHANCE: To my knowledge, grave dissatisfaction exists amongst the fishery classes with reference to the difficulty thrown in their way, and the trouble they have to experience in getting a loan out of this fund. I trust the Chief Secretary will make a note of the point.

MR. A. J. BALFOUR: The hon. Gentleman will see that by transferring the management of this portion of the fund from one body to another there is a possibility of the object he has in view being attained.

Question put, and agreed to.

Clause 13.

MR. SEXTON: I think it would be worth while inquiring whether 25 per cent. is not too high a figure to fix upon, and whether the congested districts in Counties Limerick, Derry, and Clare, where the valuation is not more than £1 6s. 8d., should not be included.

(10.38.) MR. BRYCE: I would ask the right hon. Gentleman to seriously consider whether, in view of the very large discretion in the way of making experiments which is given to the Congested Districts Board, it would not be well to extend the scope of the Board as widely as possible. They would not come within the definition here given, but there are certain districts along the coast in the western parts of Limerick and Clare where the circumstances are very similar to those of the congested districts of Galway and Mayo; and it seems to me wise that the experiments should be applied to those districts.

*MR. KNOX: I would ask the right hon. Gentleman whether he has considered the situation of the western part of the County of Cavan? There are 10 electoral divisions, and they are the same in their character as similar divisions across the border in Leitrim, and it naturally seems they should be included in the scheme. Of course, I am aware that where a rule like this is adopted there must always be inequalities, but I think there is something in the character of these districts which leads to the inquiry whether they ought not to be included.

(11.40.) MR. M. HEALY: Will the right hon. Gentleman say whether it is not necessary in some way to apportion the cash part of the Guarantee Fund under this section?

THE CHAIRMAN: There is no Question before the Committee.

MR. SEXTON: I beg to move to leave out Sub-section 1.

Amendment proposed, in page 12, to leave out the 1st sub-section.—(*Mr. Sexton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. A. J. BALFOUR: Of course, the question of the area of the congested districts has been very carefully considered. It is not sufficient to prove that a district is very poor in order to entitle it to claim to form part of a congested district county in the full

sense of that expression. There are districts in Ulster and in the South-east of Ireland of which parts are as poor as any that can be found in Ireland.

MR. SEXTON: The map shows only three outside your scheme.

MR. A. J. BALFOUR: I think it will be found that there are some of the poorer and more mountainous districts on the south-east coast and in Ulster, where the poverty is not less than in the proposed congested districts counties. It will be seen when Clause 16 is reached that, as far as migration and emigration are concerned, the work of the Congested Districts Board is not to be confined to the congested districts counties. But in respect of the general work to be undertaken by the Board, we must be practical and confine it to the large areas in the West of Ireland. The clause says that where more than 25 per cent. of the population of a county lives in electoral divisions of which the rateable value, when divided by the number of the population, gives a sum of less than £1 for each individual, such divisions shall be treated as congested districts. If hon. Members think that 25 is too high a percentage of the population I will not oppose a reduction to 20 or some such figure.

(10.45.) MR. SEXTON: In looking over the map I see that there are counties which have not been selected, but in which the rateable value is as low as in the seven selected counties. I say that the congested areas in Clare, Limerick, and Kerry are nearly as large as in Tralee and Sligo.

*MR. JORDAN (Clare, W.): I will support the appeal made by the hon. Member for West Belfast in relation to the County of Clare. There are large districts in Clare, from Loop Head to Lisdoonvarna and Kilmihil, which are as poor as any which have been scheduled as distressed districts. I was pleased to hear the conciliatory utterances of the Chief Secretary, and if the reduction from 25 to 20 per cent. would include the Clare districts that would answer my purpose. At all events, I would impress upon the right hon. Gentleman the necessity of including these districts, where there is very little trade or commerce, and where many of the fishermen are in absolute poverty.

(10.49.) MR. A. O'CONNOR (Donegal, E.): If the Government had adopted the electoral district instead of the county as the area on which to calculate the population they would have found large areas in the south-western counties quite as congested, area for area, as many of those now scheduled. If, instead of taking 25 per cent. of the population of the county, the right hon. Gentleman would take 25 per cent. of the population of the electoral divisions, that would meet the difficulty.

MR. A. J. BALFOUR: For certain purposes 25 per cent. of the union is taken, and for some purposes every poor electoral division is taken into account; but for the purpose of building harbours, &c., we do not adopt that course. After all, the amount of money which we have at our disposal is limited. I am ready to lower the figure to 20 per cent., but I do not think it advisable to go beyond that, or to deal with too many sporadic centres of distress.

(10.52.) MR. M. HEALY: Is not some provision necessary for the purpose of apportioning to the congested districts the specific portion of the cash guarantee?

*MR. MADDEN: That has been provided for by Clause 4, Sub-section 5.

Amendment, by leave, withdrawn.

Amendments agreed to.

(10.57.) MR. SMITH-BARRY (Hunts, S.): I beg to move the Amendment that stands in my name. The definition of the Government with regard to a congested district is, perhaps, the best that could be given; but it is absolutely impossible to define every case, and I think it is inadvisable to fix an absolute limit as to what is to be considered a congested district. Some elasticity should be allowed. My Amendment will enable the Lord Lieutenant to extend or diminish the limits proposed in the Bill if he thinks it advisable.

Amendment proposed,

In page 12, line 10, after "modifications," to insert "Provided that if within 12 months from

the passing of this Act it appears to the Congested Districts Board that it is expedient to include under the provisions of this section any electoral division other than the divisions hereinbefore mentioned, or to exclude therefrom any electoral division, it shall be lawful for the Lord Lieutenant, on the report of the Board, to include or exclude, as the case may be, such division."—(*Mr. Smith-Barry.*)

Question proposed, "That those words be there inserted."

(10.59.) MR. A. J. BALFOUR: There is no doubt that the object aimed at by my hon. Friend is a good one, and possibly it may be necessary—and I think it is—to introduce words of this kind, because if there is a town in an electoral division that division may appear to be poorer than it is on the £1 6s. 8d. scale. On the other hand, there may be electoral districts in which there are rich grazing farms, but which are very sparsely populated, where the people may be poorer than the rating may appear to indicate. I think, therefore, it is advisable to introduce machinery by which we can obtain elasticity, and I would recommend the Committee to adopt the Amendment.

MR. SEXTON: I would ask the right hon. Gentleman whether he does not think that, although the inclusion may be all right, the exclusion ought to be limited?

MR. A. J. BALFOUR: I think a slight modification of my hon. Friend's Amendment would be desirable.

MR. SEXTON: I will move to limit the operation of the clause by the omission of the words "within 12 months from the passing of this Act."

Amendment agreed to.

Other Amendments made.

Clause, as amended, agreed to.

Clause 14.

MR. SEXTON: I beg to move the omission of Sub-section (*a*). I desire to urge upon the House that any scheme of emigration to be successful should be by families, and not by individuals. At present the able-bodied and young of both sexes emigrate, and the old and feeble are left behind, thus making the community deficient in those elements of energy which form the main strength of every country. The Board should not emigrate young men, boys, and girls, but should take an intelligent and sympathetic view of the whole situation, and emigrate whole families. Some provision should, therefore, be inserted in the clause to that effect. It should also be the duty of the Board to take some steps for securing a means of livelihood for the emigrants in their new homes with regard to amalgamation. There is no limit to amalgamation in this clause, and it is quite possible that amalgamation may go too far. I object to aid being given to the occupier of a holding who emigrates without his family.

Amendment proposed, in page 12, line 33, to leave out Sub-section (*a*).—(*Mr. Sexton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*(11.20.) MR. RATHBONE (Carnarvonshire, Arfon): I agree with the hon. Member for West Belfast in his preference for the emigration of families, but I hardly think it desirable to include the emigration of girls, who should be excluded, because we know as a fact that the number of girls in these districts is larger than the number of males, and that the means of occupation for females do not exist there in sufficient quantity.

MR. A. J. BALFOUR: I quite appreciate the argument of the hon. Member in favour of emigration being promoted as far as possible by families, but, at the same time, it is often necessary that the younger and more active members of a family must go out with a view of preparing the future home for the reception of the elder members, because, after all, emigration to a new country involves transition from one mode of life to another, and to say that the younger members of a family are not to prepare the new homesteads for their elders would be to introduce a limitation of the Bill which I think we might find occasion to regret.

MR. SEXTON: I move the insertion of the words "with his family, if any."

MR. A. J. BALFOUR: There can be no objection to that.

MR. M. HEALY: I would point out that there should be some protection of the right of re-entry conferred by the Land Act of 1880. At present if the landlord in a congested district chose he could put an absolute check upon the working of these sections. As to the amalgamation of small holdings, I think the right hon. Gentleman will see that there should be a limit put to the amalgamation of holdings above £10.

*MR. MADDEN: The hon. Member has suggested that there might be amalgamation to an undesirable extent. There can, however, be no process of amalgamation except under the control of the Congested Districts Board, which will not be likely to spend money unnecessarily.

Amendment proposed,

In page 12, line 34, after the word "holding" to insert the words "with his family, if any, excepting any such migrant or emigrant under favourable circumstances, in the place to which he first migrates or emigrates."

Agreed to.

Amendment proposed,

In page 13, line 7, to insert, "That no holding shall be increased in valuation beyond the rateable value of £20."

Agreed to.

(11.30.) MR. LABOUCHERE (Northampton): I do not wish to interfere with the happy feeling which seems to exist between the Government and my Irish friends in this matter, but it does appear to me that the term "full market value" used in this section is too vague. What is the difference between market value, and full market value? I object to the term entirely in this particular clause, and would suggest that it be struck out as has been recommended by one of the hon. Members for Ireland.

MR. A. J. BALFOUR: I cannot agree to that.

MR. LABOUCHERE: It is evident that my hon. Friends see something insidious in the term; I shall, therefore, move an Amendment which gives a more practical definition. I beg to move the Amendment which stands in my name.

Amendment proposed,

In page 13, line 20, to leave out "its full market value," and insert "the economic value of the landlords' interest, based upon fair rent, such fair rent being understood to mean the margin of profit (if any) that remains after the occupier has been adequately rewarded for his time, intelligence, and outlay in cultivating the holding."—(*Mr. Labouchere.*)

MR. A. J. BALFOUR: There can be no doubt what is the meaning of full market value.

MR. LABOUCHERE: The object of the Amendment is to give a more practical definition of what is the value of a holding and to declare that the Land Commission, when purchasing with the money of the Church Surplus Fund, ought not to give more than the true economic value of the land. Now, will the right hon. Gentleman be good enough to tell me what he means by full market value. What is the difference between market value and full market value? Surely when one speaks of market value he means what a willing purchaser will give, or what a willing vendor will take. Political economists have discussed this question by the hour, and I could do so for a longer time, only I do not wish to detain the Committee.

An hon. MEMBER: Go on.

MR. LABOUCHERE: No, I will spare the Committee. Still, I do urge that instead of vague phrases we should have definite words; and I contend that the Mover of the Bill ought at least to be good enough to tell us what he means by full market value.

(11.37.) MR. A. J. BALFOUR: I think the hon. Member will admit that whatever may be the merits of the term of "full market value," the words "adequately rewarded for his time, intelligence, and outlay in cultivating the holding," which he proposes to substitute, are calculated to open much wider fields of argument. I have no desire to enter into a long controversy about economic value. The hon. Member is well aware that the market value of an article is understood to be that which it will sell or fetch in the open market. I submit, therefore, that the words of the

sub-section are sufficiently plain, and that the Amendment is unnecessary.

MR. CHANNING (Northampton, E.): As I understand my hon. Friend, what he really means is that he wants the market value of the land to be defined as the capitalised agricultural value of the land, and that he does not wish to have included in that value, for the purposes of purchase under this Act, the levy on the toils of Irish housemaids in America or of Irish harvestmen in England. Surely, it would be an outrage, so far as the congested districts are concerned, to take into consideration in fixing the value the income which the landlord annually derives from these American and English sources.

(11.39.) SIR G. TREVELYAN (Glasgow, Bridgeton): I think the words "full market value" in this particular sub-section are extremely dangerous. The entire success of this scheme depends upon too high prices not being paid for the land. It is curious to notice how very much more careful the framers of the Ashbourne Act were in the terms which they used in order to guide the Commission. For instance, in the Ashbourne Act of 1885, the Commissioners are directed to be satisfied with the security in all respects; and in the 5th section it is laid down that the Irish Land Commissioners, if they reasonably satisfy themselves that a re-sale can be effected without loss, they may purchase an estate for re-sale to the tenant. Words to that effect appear to me to be much more suited for the purpose of these very peculiar purposes—philanthropic purposes—of this Bill. The market value of estates in the West of Ireland is absolutely nothing at all. If there is any selling value in these estates, the right hon. Gentleman ought to bring up some words which would practically cover the grounds I have indicated by reading the 5th clause of the Ashbourne Act. If he declines to do that, he might agree to the omission of the words "full market value," leaving the Commissioners to act in the public interest. If any words are introduced, they should prove that the nation is to suffer no loss.

MR. M. HEALY: I understood this sub-section to apply to the sale of the sub-tenant's interest in the holding. I can see nothing in the section which contemplates compulsory sale, or makes it impossible for the Land Commissioners or anybody else to compel an ordinary occupier to sell. He may be bribed into doing so by having money given him to emigrate; but if he wishes to resist, he cannot be compelled into selling. I, therefore, cannot understand the meaning of this sub-section; there is no need to fix the price.

*(11.48.) MR. MADDEN: A small holding referred to in Sub-section 2 includes a holding purchased under the provisions of the Land Purchase Acts; and then the present sub-section enacts that the purchase of such a holding shall be made through the Congested Districts Board for such price as may be agreed upon, or, in case of difference, the price may be determined by the Land Commission by reference to the full market value.

MR. COMMINS (Roscommon, S.): What is wanted is some basis of computation. If the tenant and the landowner cannot agree upon the price, then there must be some means of fixing it. I do not think that the market value can be taken as the basis of computation, inasmuch as there is no market. The whole difficulty would be met by substituting for "market value" the words "agricultural value."

(11.50.) MR. CHANCE: Sub-section B does not contemplate the purchase of the holdings by the Land Commission or the Congested Districts Board; it merely contemplates the lending of meney in order that small adjoining holdings may be amalgamated. It is an amalgamation section, which provides that a tenant to whom money is advanced for this purpose shall not be permitted to sell separately any of the holdings so amalgamated. I think there should be compulsory powers given to the Land Commission to purchase these small holdings.

MR. A. J. BALFOUR: I may point out that under this sub-section there is not an open but a restricted market. The tenant can only sell either to his neighbour or to the Land Commission.

MR. CHANCE: The real meaning of the words is that if the tenant attempts to sell to a stranger he is to be punished.

(11.55.) MR. A. J. BALFOUR: Under the sub-section you restrict the market of the would-be seller, and, having done that, you are bound to ensure some means of coming to an agreement for sale.

MR. CHANCE: Sub-section 2 distinctly pre-supposes a breach of conditions.

MR. M. J. KENNY: And the Land Commission are empowered to sell for such breach of conditions.

(12.0.) MR. M. HEALY: Would it not be desirable that the provision generally should apply not merely to small holdings purchased under this Act, but purchased under the Ashbourne Acts also?

MR. A. J. BALFOUR: I do not think that can be done. We have gone on the principle that the Ashbourne Acts should run concurrently and undisturbed by this Act. I think it would be better to leave the Ashbourne Acts entirely on one side.

MR. LABOUCHERE: The discussion on my Amendment has lasted half an hour, and it has been a very fine criticism upon this Bill, because it has conclusively proved that neither its framers nor anyone in the House know much about it. One half of the half hour we have been discussing the sub-section on the assumption that it dealt with the interest of the landlord, and the other half of the time we have been discussing it as if it dealt with the interest of the tenant. It is really impossible for a person anxious to benefit Ireland to move an Amendment of this sort with any hope of its being passed, seeing that the Committee do not understand the matter—I venture to assert, Mr. Courtney, that even you do not understand it—I ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

(12.4.) MR. M. HEALY: There is one other point which ought to be raised. The clause compels a small holder to sell his holding either to the Land Commission or to an adjoining holder. Often arrangements as to a holding are made on marriage. I am sure it is not the intention of the Government to interfere in a case where a proprietor or purchaser of a holding advanced in life wishes to transfer the holding on the marriage of one of his children.

*MR. MADDEN: I will consider the suggestion of the hon. Member.

(12.7.) MR. M. J. KENNY: An Amendment has been adopted limiting the amalgamation of holdings, and, therefore, to prevent further accumulation of holdings I would suggest that there should be inserted after "neighbouring," in line 24, the word "small." The section would then read—

"Where a small holding in a congested district county is (whether under this section or the Land Purchase Acts) liable to be sold, the Land Commission shall endeavour to sell the same to one of the occupiers of a neighbouring small holding with a view to the holdings being amalgamated."

MR. A. J. BALFOUR: The hon. and learned Gentleman suggests an Amendment which I am far from saying is wrong. If he will put it on Report I will consider it.

MR. SEXTON: I think there is some point in what my hon. and learned Friend suggests. If there are large and small holdings it is desirable the small holdings should be selected for purchase, otherwise the farms would become unduly large.

MR. KNOX: I beg to move the omission of the words "equal to" in line 27, and to substitute the words "may not be greater than."

Amendment proposed, in page 13, line 27, to leave out "equal to," and insert "may not be greater than."—(*Mr. Knox.*)—Agreed to.

Clause, as amended, agreed to.

Question proposed, "That Clause 15 stand part of the Bill."

MR. SEXTON: I object to the clause on the ground that, as it stands, no matter how many holdings may be amalgamated, all the dwellings but one will be destroyed. The clause ought to be framed so that people shall not be

deprived of their homes unless they are offered facilities for migration or emigration.

(12.14.) MR. CHANCE: There is already power to prevent the sub-letting of dwelling-houses. But under the clause, if a person out of charity gives the shelter of an outhouse to a neighbour for a night he may be punished by being put out of his holding. Why should hospitality be punished as a crime? I think the sub-section is most unreasonable, and I beg, therefore, to move that it be omitted.

Amendment proposed, in page 13, line 36, to leave out Sub-section (1).—(*Mr. Chance.*)

Question proposed, "That Sub-section (1) stand part of the Clause."

MR. A. J. BALFOUR: The whole object of the second part of the Bill is to remove congestion. One of the chief curses under which Ireland suffers is sub-letting, and, though that often rises out of some of the best feelings of human nature, it ends with disaster to all parties. If we are to spend money in securing the amalgamation of small holdings, surely we must not suffer our object to be defeated and the money thrown into the sea. The 1st sub-section, as framed, will secure that the money is not wasted. I earnestly hope that the Committee will not do anything to weaken the operation of the clause.

(12.18.) MR. CHANCE: My point is that this clause does not touch the question of sub-letting or sub-division at all. It practically leaves it as it is already, but it will prevent a family having lodgers or visitors. Under the sub-section if a man permits his neighbour to stay under his roof for one night he runs the risk of forfeiting his holding and being turned adrift into the world.

MR. A. J. BALFOUR: The hon. Gentleman is, I think, wrong in his view. The object of the sub-section is to stop the sub-division of holdings.

MR. COMMINS: Why not insert words which will enable a dwelling-house to be occupied without the holding being sub-divided?

Mr. Sexton

MR. SEXTON: We must make it clear that a man is not to be turned out of his holding simply because he gives temporary shelter to a friend or relative. Do you intend that amalgamation should be accompanied by an increase of pauperism; that the families displaced are to be forced into the workhouse? If so, the rates will be largely increased. I hope the right hon. Gentleman will carefully consider the probable results of this sub-section.

(12.24.) MR. A. J. BALFOUR: Amalgamation can only occur under this Act by voluntary arrangement between the parties. You may have two holdings amalgamated. What occurs now in the West of Ireland is that when the son or daughter of the occupier grows up the father hands over to him or her the second holding. That is what we want to prevent. The hon. Gentleman seems to think it is a monstrous hardship for us to say it shall not occur in cases where public money has been advanced to secure the amalgamation of the two holdings. I cannot see the hardship.

MR. SEXTON: What I will not be a party to is the provision that because an uninhabited house is lent by the occupier of the holding to a relative or neighbour he is to forfeit his holding.

MR. CHANCE: May I suggest, as an Amendment, the insertion of words such as are contained in line 38, requiring notice to be given that the dwelling must not be occupied before any forfeiture penalty can be enforced?

(12.30.) The Committee divided:—Ayes 132; Noes 51.—(Div. List, No. 232.)

Clause 15, as amended, agreed to.

(12.37.) DR. CLARK (Caithness): I have not taken much interest in this Bill, but I have been watching it. During the night five clauses have been passed. The Government have moved from a dozen to a score of Amendments and have adopted many from this side. Good work has been done, and I think that it is time that the Government told us what course they intend to take. By the course the Government have taken, when the Speaker comes into the Chair we shall not be able to discuss the ex-

traordinary conduct of the Government in reference to Public Business. We want some information, and the only way of getting it is by moving to report Progress, which I accordingly do. It is perfectly clear we shall not get through the Bill with the new clauses to-night. Something is due to Members and to officers of the House with the influenza epidemic so prevalent among us. I have had experience of all-night sittings, and I know that they are likely to induce a state of body that may predispose many of us to the malady from which so many Members are now suffering. I observe that many hon. and right hon. Gentlemen have fallen asleep, and the fact is, we have become accustomed to the Midnight Rule. There has been no sort of obstruction; the discussion has been conducted in a business-like fashion; many points have been cleared up, and the Government have been enlightened by the active interest taken in the Bill by Irish Members. I hope now we may be informed what the Government propose to do in regard to the Bill and the Whitsuntide Vacation.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Dr. Clark.*)

(12.40.) MR. GOSCHEN: I quite admit the industry which has been displayed, and we have no desire for an all-night sitting. The Government are extremely grateful to the large number of Members in the House who have been willing to continue this business. We are now really within measurable distance of the end of the Bill. There certainly is still one important clause, after which come Clause 17, a clause of machinery, and Clause 18, a clause of definition.

MR. SEXTON: The definition clause is an important one.

MR. GOSCHEN: Yes, important; but not, I think, likely to occupy very much time. Then there are a considerable number of new clauses. A certain number of them, I think, may be ruled out of order, and as regards the others, they may either be discussed on Report or disposed of pretty rapidly at this stage. There is one very important clause to be moved by my right hon. Friend the Chief Secretary, a clause upon which considerable discussion may arise, for we have heard that hon. Members opposite attach great importance to it; but with the exception of that clause, I think we may fairly hope to finish the Bill by a reasonable time to-morrow. We understand that a large number of Members, inconvenient as it is, are prepared to come down on Thursday next; and, though we regret that it may be necessary to do so, it will have to be done if the Bill should not be finished to-morrow. The House will not meet till 3 o'clock to-morrow, and the Government will be prepared to move the Adjournment at a reasonable hour—6 or 7 o'clock; and we still hope that it will be possible to come to such an arrangement as will save us from being compelled to ask hon. Members to return so soon as next Thursday.

(12.45.) MR. SEXTON: We have not grudged time or labour, nor have we made undue use of our position on a subject which so deeply concerns our country. Personally, I am not unwilling to continue longer, and count the holidays as nothing in comparison with legislation which will affect the happiness of thousands of our people for 49 years, and probably the future of Ireland for all time. I agree with what the Chancellor of the Exchequer has said with regard to the Bill itself, apart from the new clauses. I think that either to-night or to-morrow it would be possible to deal with the clauses of the Bill, and also to ascertain what new clauses can be rejected or adopted without much discussion. I think we should continue, then, for another hour or so, and to-morrow probably before 6 we shall reach the end of the clauses.

MR. LABOUCHERE: Personally, in view of the state of business, I think it is somewhat monstrous that we should have any holidays at all. I have not quite gathered from the Chancellor of the Exchequer what are the conditions he proposes. Is the House to understand that if the rest of the Bill passes through Committee to-day or to-morrow we are to adjourn to Monday week instead of Thursday?

(12.49.) MR. GOSCHEN: If we have only to carry over until after the holidays the one clause proposed by my right hon. Friend the Chief Secretary, the Government will be prepared to move the Adjournment of the House to Monday week instead of Thursday; but we cannot come to any arrangement which would leave a larger number of clauses over, and there must be, moreover, an honourable understanding that no more new clauses are put down. I trust hon. Members will agree to have the new clauses summarily disposed of or defer the moving until Report.

Motion, by leave, withdrawn.

Clause 16.

(12.51.) MR. SEXTON: In the first sub-head of the first sub-section I presume the right hon. Gentleman intends to alter the figure of proportionate value and population, but may I direct his attention to Sub-head (*b*). This and the next sub-head enumerate the purposes to which the Board shall address themselves in any Electoral Division where the state of affairs is such as is described in Clause 13. These objects are providing seed potatoes and seeds oats, taking such steps as they think proper for aiding migration or emigration, providing seed potatoes, aiding and developing the knowledge and practice of agriculture, forestry, weaving, fishing, and any other suitable industries. I think it would be well to extend the clause to the curing of fish, of which the people are very ignorant, the erection of piers and harbours which are most wanted, and the building of fishing boats. As has been before pointed out in the congested districts along the Western seaboard one of the main causes of the poverty there is the fact that there are no suitable harbours and piers for the fishing industry. The consequence is that in rough weather the boats cannot go out or come in. Further, I suggest that boats and gear should be provided either by way of grants or loans. The truth is, the people are not equipped for deep sea fishing, they crawl along the shore, and do the best they can with their limited appliances. The famine years broke up the fishing industry, the fishermen were driven to emigrate and their boats rotted on the beach. From these disastrous times the fishing industry has never recovered, and in no direction could the efforts of the Board be more usefully directed than in providing this sturdy population—half farmers, half fishermen—with boats and gear for deep sea fishing. Then in Sub-section 2, I confess a dislike to the condition attached to the sale of seed. The Board are to be satisfied that the occupier will properly sow the seed supplied to him. That there should be some sort of inspection I allow, but there should be some limitation here, and I do not think it should be open to an unknown officer of the Board to ramble around the holding at any time and without the knowledge of the occupier. How is the Board to be satisfied that the occupier will properly sow the seed? I think it is charitable to assume that the man who buys the seed does so for the purpose of sowing it properly.

(12.56.) MR. A. J. BALFOUR: In the first sub-head I propose to substitute £1 6s. 8d. for £1. With regard to what the hon. Gentleman has said in reference to fishing I wish to give the Board absolute discretion in dealing with all these matters, and the clause as it at present stands, and taken in connection with Sub-section 4 is, I think, wide enough to cover the industries referred to by the hon. Member. Sub-section 4 provides that the Board may proceed directly or indirectly, and by the application of money at their disposal, make gifts or loans subject to such conditions as they may consider expedient under this section. This sub-section is intended to govern the rest of the clause, and the several branches of industry mentioned. Of course, I admit that fish curing is an important industry connected with fishing, and I have no objection to introduce it. It certainly is a scandal that the Irish fishing industry should be dependent upon England and Scotland for its boats and gear, and I hope the Board's action will remedy this state of things. Fish curing, I should say, comes within the words of the section "industries connected with and subservient to fishing." To mention curing alone is to give it an impor-

tance which, I think, would be excessive as compared with the numerous other industries from which all of us hope for so much in the West of Ireland.

Amendment agreed to.

(1.3.) MR. M. J. KENNY: I beg to move the insertion of the following sub-section:—

"Acquiring waste common, or such other land as may be suitable for planting trees, and may plant, fence in, and otherwise use it, and, for the purpose of enabling them to acquire such land, the Lands Clauses Consolidation Act (eighth year of Victoria, chapter eighteen), and any Act or Acts amending the same, shall be deemed to be incorporated herewith."

I will not now enlarge on the advantages of re-afforesting portions of Ireland. The question has been fully inquired into by two Committees of this House—one being that which dealt with Irish industries, and the other that of three or four years ago on the question of forestry. I would have no objection to the Amendment placed on the Paper by the Chief Secretary being adopted in preference to mine, except that I do not like the one he has given notice of for enabling the Land Commission to acquire and hold land, inasmuch as it is simply an enabling Amendment, and would not allow the Commissioners to acquire land compulsorily, however necessary it might be to do so. It is not only conceivable but extremely probable that in a great number of cases most desirable sites for planting might be found, but the owner, as soon as he heard that the Congested Districts Board was looking after his land, might largely increase the price. Under such circumstances, the Board would have no means of bringing the owner to fair terms. If, however, the Lands Clauses Act was incorporated into this Bill, the site might be acquired in the usual way.

Amendment proposed,

In page 14, after line 26, to insert the following sub-section:—"Acquiring waste common, or such other land as may be suitable for planting trees, and may plant, fence in, and otherwise use it, and, for the purpose of enabling them to acquire such land, the Lands Clauses Consolidation Act (eighth year of Victoria, chapter eighteen), and any Act or Acts amending the same shall be deemed to be incorporated herewith.'—(*Mr. M. J. Kenny.*)

Question proposed, "That those words be there inserted."

(1.5.) MR. A. J. BALFOUR: I think the hon. Gentleman will probably agree that it will not be advisable to introduce for the first time the element of compulsory purchase in this Bill unless there is a great demand for it, and I do not think there is such a demand. I have been very much interested in the question of forestry in Ireland, and a good many sites have been offered to me. The only difficulty that really arises is when, in addition to the landlord's rights, there are very complicated rights on the part of the occupiers, and I think it would produce some unpopularity and friction if an attempt were made to do by compulsion what I think can be adequately done without compulsory powers.

MR. M. J. KENNY: I regret very much that the right hon. Gentleman does not see his way to provide compulsory powers where they may be absolutely required. There is another point to which I wish to draw attention. The right hon. Gentleman, in the Amendment he has placed on the Paper, proposes only to add "in the knowledge and practice of forestry." That means simply teaching the science, as far as I understand it, and would not involve the actual re-afforestment of any large portion of the country, as it imposes no duty on the Congested Districts Board to plant a single tree.

Question put, and negatived.

Amendment proposed, in page 14, line 30, to omit the words "congested districts of a county," in order to insert, "such electoral divisions"—(*Mr. Attorney General for Ireland.*)—Agreed to.

MR. SEXTON: I think we ought to have a new sub-head to this section, because it fails in its present form to provide for matter of great importance to the coast population of the congested districts, namely, the means of providing the fishermen with fishing boats and gear.

MR. A. J. BALFOUR: I quite concur in the suggestion of the hon. Member, and would suggest the insertion of the words, after fishing, "including the construction of piers and harbours, and pro-

viding boats and gear." I will move the insertion of those words.

Amendment agreed to.

Further Amendment proposed, in page 14, line 32, after "agriculture," to insert "and forestry."—(*Mr. A. J. Balfour.*)—Agreed to.

Further Amendment proposed, in page 14, line 35, at end, add "And for the purposes of this sub-section the Land Commission may acquire and hold land."—(*Mr. A. J. Balfour.*)—Agreed to.

MR. CHANCE: I propose to move that the words after the word "money," to the end of the sub-section, be omitted. If the clause is passed in its present form, it might happen that after the Board had spent £5 or £6 a ton for good Scotch seed, the market might fall and the Board might have upon their hands the whole of that seed; so that if, as the clause provides, they were to sell it at its market value they would sustain a heavy loss. The result would be that the Board would probably keep the seed until it rotted.

Amendment proposed, in page 14, line 36, to leave out all the words after the word "money."

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. A. J. BALFOUR: I think we ought to be very careful how we open the door too widely on this matter; but I see the hon. Member's point, and I think his object might be met by providing that the seed should be sold for ready money and at not less than the price of such seed at the time being.

MR. CHANCE: But in the case of a rise in prices there would be this difficulty, that you would compel the Board to exact a higher price than the original cost. I ask the right hon. Gentleman if he can suggest words that would meet this difficulty?

MR. A. J. BALFOUR: We do not want to compel the Board to take advantage of a rise, and at the same time we do not wish to compel them to sell at a loss. I think it will take a little time to draft an Amendment that will fairly meet the point, and if the hon. Member will leave it to me I will endeavour to carry out the object we both have in view.

MR. M. HEALY: Would not the case be met by saying that the Congested Districts Board should sell the seed for ready money?

MR. A. J. BALFOUR: I think it would be better to allow the matter to be brought up again on the Report.

MR. CHANCE: Very well, I ask leave to withdraw my Amendment.

Amendment, by leave, withdrawn.

Clause, as amended, agreed to.

Clause 17.

(1.26.) MR. SEXTON: I move to leave out Sub-section 1, and I ask the right hon. Gentleman the meaning of the proposal.

Amendment proposed, in page 15, to leave out Sub-section 2.—(*Mr. Sexton.*)

MR. A. J. BALFOUR: I regarded the office as an honorary one, but it was suggested to me that members of the Board might properly receive remuneration for any work they might do, and I do not see why the Board should not be able to pay certain of its members for particular duties. I am perfectly certain it would be impossible to do this work in the West of Ireland unless you gave them remuneration for their services. It is for that reason I introduced the provision.

MR. SEXTON: I beg to withdraw the Amendment.

Amendment, by leave, withdrawn.

Clause 17, as amended, agreed to.

Clause 18.

(1.45.) Committee report Progress; to sit again to-morrow.

COMPANIES ACT (1862) AMENDMENT BILL.—(No. 146).

Order for Committee read, and discharged.

Bill committed to a Select Committee.

House adjourned at five minutes before Two o'clock.

HOUSE OF COMMONS,

Friday, 15th May, 1891.

HIGHLAND RAILWAY COMPANY.

Return ordered—

"Of the Order of the Board of Trade on the Highland Railway Company with regard to the running of 'Mixed' Trains, together with Correspondence relating thereto."—(*Mr. Angus Sutherland.*)

QUESTIONS.

ANTI-JEWISH RIOTS AT CORFU.

SIR J. GOLDSMID (St. Pancras, S.): In the absence of the Under Secretary of State for Foreign Affairs, perhaps the right hon. Gentleman the Under Secretary of State for the Colonies can answer the question whether riots are taking place against the Jews of Corfu, some of whom are British subjects; whether houses occupied by them have not already been fired; whether others are threatened; and whether the Government will take steps to represent to the Greek authorities the necessity for prompt protection? Perhaps I may be allowed to supplement the question by asking in reference to later information published whether it is true that one unfortunate Jew has been murdered, and others have been starved to death?

*THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): Information has reached Her Majesty's Government to the same effect as that which has appeared in the Press. Several attempts are stated to have been made to fire the Jewish quarter, but hitherto, fortunately, without success. Her Majesty's Minister at Athens has made representations to the Greek Government on the subject, and the Admiral in the Mediterranean has been instructed to send a ship of war to Corfu to co-operate with the Consul for the protection of British Jews. With regard to the supplemental question, I have not the information required to answer it. Inquiries will be made.

Subsequently, Sir J. GOLDSMID renewed his supplementary question.

*BARON H. DE WORMS: A telegram has just been received at the Foreign Office to the effect that a Jew has been killed by Greeks armed with revolvers, and that the Greek Government has supplied assistance to destitute Jews who are suffering from starvation, which has caused some deaths.

MANIPUR.

MR. CREMER (Shoreditch, Haggerston): I beg to ask the Chancellor of the Exchequer whether he can inform the House when the Despatches relating to Manipur will be printed and circulated? I beg, at the same time, to say that the form in which my question appears differs somewhat from the form in which I handed it in at the Table. In the form in which I gave notice, as the right hon. Gentleman will recollect, I proposed to ask him not merely when the Papers would be distributed, but, what is of equal or greater importance, why a delay of 10 days has occurred in the printing of Papers which an ordinary printer would dispose of in 24 hours?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I have been informed that the delay in the printing office has occurred in consequence of the receipt of a telegram and a fresh Despatch from the Government of India on Monday containing numerous enclosures, which had to be added to those previously delivered. A complete file was sent to the printer on Tuesday, and fresh proofs had to be revised. The whole of the Papers are now practically ready, and some copies have been sent to the Vote Office this afternoon.

IRELAND—DESTITUTION IN THE LOWER ROSSES.

MR. A. O'CONNOR (Donegal, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received any communication from the Glenties Board of Guardians requesting a sworn inquiry into the state of the Lower Rosses district, alleging the pressing necessity of relief works to save the lives of the people, and urging the establishment of a local fever hospital and of a local dispensary; whether he

has received, within the last few days, any official Report relating to destitution and disease in the Rosses; and what the Government intend to do in the matter? I may add that the sworn inquiry is that to which I have previously referred.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I have not received the Report referred to; it has not reached my hands.

MR. A. O'CONNOR: Will the right hon. Gentleman cause further inquiries to be made during the Recess?

MR. A. J. BALFOUR: Yes.

DEATH IN TULLAMORE GAOL.

MR. M. HEALY (Cork): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is the fact that at an inquest held last week in Tullamore Gaol, on the body of a man named Christopher King, who died whilst undergoing a sentence of imprisonment, the jury commented on the neglect of the prison officials in not summoning the Catholic chaplain when the condition of the deceased became serious; what are the exact facts as regards the neglect referred to; and who was responsible for what occurred?

MR. A. J. BALFOUR: The General Prisons Board report that the facts are not as stated in the question. The jury did not allege neglect on the part of the prison officials. On the contrary, while saying that it appeared that no doctor or clergyman had seen the prisoner from the time of the attack till his death they expressed the opinion that this was no doubt unavoidable. As a matter of fact, the prisoner, immediately upon his receiving a stroke of paralysis, was visited by the doctor, and a messenger was at once despatched for the Roman Catholic chaplain.

MR. M. HEALY: May I ask the right hon. Gentleman if the doctor saw the prisoner at once, and if the clergyman was summoned at once, what was it that the jury commented upon?

MR. A. J. BALFOUR: As I understand, what the jury said was that the man had not been visited, but they did not attach blame to any of the officials?

CASE OF MR. JOHN CULLINANE.

MR. M. HEALY: I beg to ask the right hon. Gentleman why the fact that the prison doctor of Tullamore considered that Mr. John Cullinane was suffering not from influenza, but (as turned out to be correct) from typhoid fever, was not communicated to the House of Commons in reply to the questions put on the subject in the first instance; and who was responsible for suppressing this fact?

MR. A. J. BALFOUR: There appears to have been no concealment whatever in the matter; it was simply a matter of disagreement as to symptoms between the doctor and the medical member of the Board. I have just received a long Report, which if the hon. Member desires I will read; but it is not very important. Summarised it amounts to this, that the prison doctor thought the earlier symptoms in the case were those of typhoid fever, but the medical member of the Board came down, and seeing the prisoner thought that it was an attack of influenza, there being a good deal of influenza in the town of Tullamore. As it turned out, his conclusion was erroneous; the malady was typhoid fever.

MR. M. HEALY: I am making no complaint about that; my question relates to the fact that several days after when a question was asked in this House as to what Mr. Cullinane was suffering from, and though the doctor had pronounced the illness typhoid fever, in effect the answer given here to the question implied that Mr. Cullinane was suffering from influenza. Who is responsible for this incorrect information being given to the House?

MR. A. J. BALFOUR: The hon. Member, I think, attaches too much importance to a trifling matter. [The right hon. Gentleman proceeded to read the Report.]

DENBIGHSHIRE CHARITABLE ENDOWMENTS.

MR. T. ELLIS (Merionethshire): In the absence of the hon. Member for the Penrith Division, I beg to ask the Vice President of the Council for Education whether the Report of the Charity Commissioners on the Charitable Endowments of Denbighshire, which was promised for presentation soon after 30th April of last year, and the Return for which was ordered by this House on 8th December, 1890, is

ready for publication; and, if not, how soon it may be expected; whether he can state from what County Councils in Wales requests for similar Reports for their counties have been received by the Charity Commissioners; and whether such requests have been, or are about to be, granted?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The hon. Member will find in the 8th paragraph of the Report of the Charity Commissioners to the Queen for the year 1890 a statement as to the progress of the inquiry into the charities of Denbighshire, to which his questions refer. In that paragraph he will find it stated that it was not until last July that the Commissioners received the MS. of the whole of the Reports of their Assistant Commissioner on the 64 parishes embraced in this inquiry. These 64 Reports having been carefully revised, and the information contained in them brought down to an uniform date (the 31st December, 1890), they were all presented to the House early in the course of the present year, and they are now, by order of the House, being printed for distribution. It is expected that the final printing of all the Reports will be completed, and the Reports available for the use of hon. Members, early in June. The Charity Commissioners have received applications from the County Councils of three counties in Wales, namely, Anglesea, Flint, and Merioneth, for similar inquiries into, and Reports upon, the charities in those counties; but the Commissioners are not at present in a position to state what action will be taken upon those applications.

LICENCE EXTENSIONS AT DERBY.

SIR W. LAWSON (Cumberland, Cockermouth): I beg to ask the Secretary of State for the Home Department whether the Magistrates at Derby have granted an hour's extension of time to the publicans and beershop keepers for the 21st and 22nd instant, on the occasion of Her Majesty's visit to Derby; and whether the permission was given by a general order without the merits of each separate application being considered; and, if this be the case, whether such a course was consistent with the law as laid down by the Lord Chancellor in his Judgment in the "Sharpe *v.* Wakefield" case as follows:—

"Justices were authorised to alter the hours for the sale of intoxicating liquors in any particular district, but it was held that though this was a general discretion given to them, they had no right by a general resolution to alter the time in every case"?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed that it is a fact that the Magistrates at Derby have granted an hour's extension of time to the publicans and beerhouse keepers for the 21st and 22nd instant, on the occasion of Her Majesty's visit to Derby. The Judgment in "Sharpe *v.* Wakefield" lays down that when a discretion is vested in Magistrates to vary the hours for a particular locality requiring such variation they ought to exercise a *bonâ fide* judgment as to the needs of any locality for which variation was made. In like manner, under the Licensing Act, 1872, the Magistrates are bound to consider and determine judicially whether the special occasion of Her Majesty's visit warrants an extension of time; and if the same reasons apply to all publicans alike, I find nothing to require that they should make a separate order for each public house.

SIR W. LAWSON: Then the wholesale order giving the extension in all cases without any special inquiry is a legal one?

MR. MATTHEWS: It is not for me to decide whether it is legal or not. I have given the hon. Baronet the best answer I can on the information I have.

COURSE OF BUSINESS.

MR. SHAW LEFEVRE (Bradford, Central): I wish to ask the Chancellor of the Exchequer whether it is to be understood that, in accordance with the arrangement made last night, the business of the present Sitting will be the Land Purchase Bill and the Motion for Adjournment only, and that no attempt will be made to deal with the other Orders of the Day. I desire also to know whether it is intended to take the Land Purchase Bill on Monday, the 25th, or on Thursday, the 28th, or if Supply will be taken on Monday and Tuesday?

*Mr. RATHBONE (Carnarvonshire, Arfon): May I be allowed to suggest that we should adhere to the old principle and put down Supply for the first day when we re-assemble? It is not likely that the Debate on the Chief Secretary's clause will take more than a day, and if this Bill is re-printed as far as it has gone, in the manner in which this is done for the Grand Committees, we might be prepared to go on with the Debate on Report on a day subsequent to Monday.

Mr. GOSCHEN: It is not proposed to take any other Business whatever at the present Sitting except the Land Purchase Bill and the Motion for Adjournment. If the Committee on the Land Bill is completed to-night with the exception of the new clause to be moved by the Chief Secretary, then the Government propose to adjourn to Monday week, taking a Vote on Account on Monday, and the Land Purchase Bill on Tuesday.

Mr. A. O'CONNOR: Does the right hon. Gentleman mean that all the new clauses except that of the Chief Secretary are to be disposed of to-day?

Mr. GOSCHEN: I do not know whether the hon. Member was in his place yesterday when I put, I think clearly and definitely, the course we propose to pursue. There is only the one clause I have referred to which we propose to leave over for discussion in Committee, and unless that course is assented to, we must adopt our old programme, and meet again next Thursday. Several hon. Gentlemen on this side of the House who had new clauses down have, with a view to meeting the general convenience of the House, reserved them until the Report stage; and that being so, I do not think it would be fair to make an exception in favour of other hon. Gentlemen, and allow their clauses to be held over for Committee.

Mr. LEA (Londonderry, S.): Yesterday I gave notice that I would defer the new clause standing in my name to Report stage, but I had intended to move to-day two clauses standing in the name of my hon. Friend the Member for South Tyrone (Mr. T. W. Russell). After what has fallen from the Chancellor of the Exchequer, however, I shall postpone these clauses also to Report.

Mr. SEXTON (Belfast, W.): In asking a question may I also make a brief explanation. When yesterday we were asked to come to an arrangement for facilitating progress with the Bill, I intimated to the Chancellor of the Exchequer that we did not assent to the proposition that only one clause should be postponed. I now ask the right hon. Gentleman if he will consent to the holding over of my new clause prohibiting advances on certain estates, as well as the new clause of the Chief Secretary. I cannot, under the circumstances, consent to forego my right of having the clause discussed in Committee, where I may add, it will probably occupy a less time than on Report. There are special circumstances in this case. The question concerned in the clause was closured in Committee after three-quarters of an hour's discussion, and we proposed to raise it upon Clause 6. But it happened that this clause was passed in the absence of Irish Members for a few minutes, after an attendance of five hours.

Mr. GOSCHEN: I regret that we cannot assent to the suggestion of the hon. Member. To do so would be a breach of faith, for we have induced hon. Members to withdraw their clauses on the faith of the statement that only one clause—namely, that of the Chief Secretary—would be held over for consideration in Committee after the Recess. We have refused the requests of hon. Members who care as much for their Amendments as the hon. Gentleman. Their Amendments are of precisely the same importance, and they have been induced to take them off the Paper on the hypothesis that practically only one clause would be reserved. I am extremely sorry that we are not able to meet the hon. Gentleman, but we and, I believe, our friends are perfectly prepared to go on on Thursday.

Mr. LABOUCHERE (Northampton): No; you are not.

Mr. SEXTON: We are just as ready to go on as you are.

Mr. GOSCHEN: I think all who are interested in the Bill will not object to meeting on Thursday. It is not for the convenience of the House generally, and there are many reasons why it is not desirable that we should meet before Monday. The hon. Gentleman will only

be precluded from debating the matter with greater flexibility in Committee, and that is not a reason which ought to induce him to insist on the clause being postponed. The Government have met the hon. Gentleman very fairly.

MR. SEXTON: Not in the least.

MR. GOSCHEN: I am very sorry, but I cannot give way on the point.

MR. M. HEALY: If one of the clauses which the Government have induced proposers to withdraw is that of the hon Member for South Derry, then that is a manœuvre of the Government that comes near an abuse of the forms of the House. The discussion in Committee is far more effective than the Debate carried on on strict lines on Report.

DR. CLARK (Caithness): May I ask at what hour the Chancellor of the Exchequer proposes to move the Adjournment of the House?

MR. GOSCHEN: I do not think I can bind myself to any particular hour, but I shall be guided very much by the opinion of the House, subject to the general understanding arrived at yesterday.

MR. CALDWELL (Glasgow, St. Rollox): It was understood a week ago that there was to be a Morning Sitting, and a great many Members have in consequence made arrangements to leave town this evening. Is it fair that it should be left in doubt that the arrangement will be carried out?

MR. GOSCHEN: I shall be guided by the general feeling of the House as to the hour of adjournment, but I do not anticipate that hon. Members who have made arrangements referred to will find it necessary to change their plans.

NEW WRIT.

For County of Buckingham (Northern or Buckingham Division) *v.* Captain Edmund Hope Verney, expelled this House.—(*Mr. Arnold Morley.*)

ORDERS OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 18.

(3.58.) MR. M. HEALY (Cork): My hon. Friend the Member for South Donegal (Mr. MacNeill) has given notice of an Amendment which in his absence I desire to move. I do not think it is necessary I should make an explanation, the intention is obvious.

Amendment proposed,

In page 16, line 36, after "area," to insert "The expression 'tenant' includes the predecessors in title of a tenant who has acquired a holding by descent, devise, or purchase from a preceding tenant."—(*Mr. M. Healy.*)

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I am not prepared to accept this, and I do not think it is in any way necessary.

Amendment, by leave, withdrawn.

(4.0.) MR. SEXTON (Belfast, W.): I beg to move the Amendment standing in my name, which tends to qualify the definition of the annual value of the holding. The Bill provides that—

"The expression 'annual value of the holding' means the annual sum which at the date of the application for an advance under the Land Purchase Acts is the rent of the holding in respect of which the advance is made, after deducting therefrom the average annual amount payable by the landlord during the five years next before such date for Poor Rate and Grand Jury cess; but where a judicial rent has not been fixed for the holding, and the purchaser applies to the Land Commission to determine the annual value of the interest purchased in the holding, the said expression means the annual value so determined."

The expression "annual value" occurs more than once in the Bill. For instance it occurs in Clause 5, where it is provided that

"Where an advance for the purchase of a holding is less than twenty times the annual value of the holding as defined by this Act, then during the first five years of the term of the purchase annuity the annuity shall be 80 per cent. of such annual value."

It is, therefore, quite apparent that if you have a high nominal annual value and the natural attendant consequence, a low number of years' purchase, the result will be that you unduly increase the purchaser's insurance money. The annual value being high and the number of years' purchase being low, the purchaser will be subjected to a far higher burden for five years in the shape of insurance money than if the

annual value was low and the insurance money high. One of the objects of my Amendment is to remedy this injustice; it is to provide that the annual value shall not be arbitrary, but shall have some correspondence to the real annual value of the holding. I suggest that we should define the annual value by first defining the rent, and then by qualifying the rent so as to cover the annual value. There are three classes of tenants in Ireland. My Amendment is not pointed at rent as such, or at the payment of rent, but I simply wish to bring the three classes of tenants into line. In the first place, where a judicial rent has been fixed since January, 1886, the date adopted in the Act of 1887, it is proposed that the judicial rent so fixed shall be the judicial rent of the holding. I suggest that the rent in that case shall be considered to be not the judicial rent, but the rent as adjusted under the Act of 1887. In addition to bringing the rents more in accordance with the actual annual value at the present moment, and in that way by a reduction from the nominal to the actual rent, increase, no doubt, the number of years' purchase, the Amendment will have the effect somewhat of lightening in many cases the burden of the insurance money which, as the Bill at present stands, will very heavily and unjustly press upon the holders who purchase at a small number of years. At present there is no real basis of annual value on which the tenants can proceed in negotiating the purchase of estates. It is manifest that the tenants whose rents have been subject to judicial action since 1886 will be inclined to buy at a higher number of years' purchase than the tenants whose rents were fixed before 1886, and whose rents are more in excess of the real nature of the land than the rents fixed since that date. If the Amendment is adopted, the rents fixed before 1886 and the rents which have never been touched will approximate in their real relation to the value of the holdings of those whose rents have been fixed since 1886. I beg to move my Amendment.

Amendment proposed,

In page 17, line 1, after the words "the expression," to insert the words "'rent of the holding' means—(1) in the case of a holding for which a judicial rent was fixed since the first day of January one thousand eight hundred and eighty-six, such judicial rent; (2) in the case of a holding for which a judicial rent was fixed before the first day of January one thousand eight hundred and eighty-six, such sum as was determined by the Land Commission under 'The Land Law (Ireland) Act, 1887,' to be equitably payable for such holding in the year commencing from the gale day next before the passing of that Act; (3) in the case of a holding for which no judicial rent has been fixed, then there may be found the average rate by which the rents, previous to the date of the passing of this Act, fixed by the Land Commission in the same electoral division, exceed or are less than the rateable value of the holdings in such division, and the rent of the holding, for the purposes of this Act, shall be deemed to be fixed at such average rate over or under the rateable value, and this rule may be applied whether such holding is or is not a holding for which a judicial rent can be fixed."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

(4.13.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The object of the hon. Member, as I understand it, is not at all to deal with the question of rent as between landlord and tenant, but to find some machinery by which, as far as possible, the 80 per cent. of the annual value which the tenant has to pay under Section 5 of the Bill shall be made to press with equal weight upon every purchasing tenant alike. It will be seen at once that that object, though a perfectly proper one, is not one of vital importance to the tenant himself. The difference between the man on whom the 80 per cent. does not press very heavily and the man on whom it presses somewhat heavily is simple. In the first case, the purchasing tenant will pay up his interest and pay off his debt to the State rather more quickly than the man in the second case will. To carry out his object the hon. Gentleman proposes very far-reaching machinery. As to the 1st sub-section of the Amendment, I need not detain the Committee, because it is practically identical with the proposal of the Bill as it now stands. But in the 2nd sub-section the hon. Member has taken the temporary abatement in the judicial rents based upon the fall of prices subsequent to 1886 as the basis of his permanent arrangement. Of course, it is perfectly true that a judicial rent fixed in 1881 may not bear precisely the same relation

to the fair rent now fixed as the rent fixed in 1885. That is inevitable: it is the peculiarity of any system under which from time to time fair rents may be fixed. There are always changes of prices, changes of seasons, changes of fashion, and other changes which will influence the action of the Commissioners in fixing fair rent, and, no doubt, from year to year there will be differences, now in favour of the landlord and now in favour of the tenant. I am distinctly of opinion that we must assume that fair rent is a fair basis of this arrangement, and that to substitute any other basis for it will not necessarily make the arrangement more fair. The hon. Gentleman wishes to take the particular abatement made between 1886 and 1889. That may be fair for a year or two, and may become unfair, and, therefore, I am not disposed to think that we could appeal to the abatements made in those years under the Act of 1887 as affording in any way a more certain and more infallible guide as to the future than the fair rent fixed at any period. By the 3rd sub-section the hon. Gentleman has chosen to plunge very boldly into one of the most thorny and difficult topics which have ever demanded consideration. I do not believe, on examination, that any automatic or general method of defining rent without special examination of the circumstances of each holding will hold water for a moment. The hon. Gentleman proposes to take the average reduction or alteration of rent by the Land Commissioners as compared with the value, and on that he bases his automatic reduction. It will be found that in the same union the difference between the highest reduction and the lowest reduction made by the Land Commissioners is so great that practically to take the average does not represent anything that can be described as a mean between two extremes. As I pointed out yesterday, in one electoral district there are rich grazing farms, and in other electoral districts very small and poor holdings. How can an automatic reduction operate in such a case? Again, a large number of holdings have been converted from tillage into pasture holdings in consequence of the fall in the price of cereals, and wet seasons. There are many other considerations to be taken into account in arriving at a decision. Under all the circumstances, I cannot recommend the Committee to plunge into a system which, however attractive it may be, I am convinced, will work the greatest injustice upon those whom it directly affects. For these reasons, though I sympathise with the hon. Gentleman's view, I think it would be simpler and better to leave the judicial rents as the basis on which the annuity is to be fixed, and, in cases where there is no judicial rent, to let the Land Commissioners, by some rough and ready process, determine what the basis shall be.

(4.22.) MR. SEXTON: I doubt whether a "rough and ready process" will do justice all round. I would point out that the Amendment has no bearing whatever on the question of what rent ought to be paid to the landlord, and I would ask Members to dismiss from their minds the notion that it has anything to do with that question. We know nothing whatever of the "rough and ready process" by which the right hon. Gentleman proposes to carry out the second part of his definition. The Chief Secretary admitted on a former occasion that it would be inconvenient to put in motion the laborious machinery of the Land Act for the purpose of determining the annual value of a holding. I invite him or the right hon. and learned Attorney General for Ireland to show that the "rough and ready" method, of which we have yet had no outline, would get nearer to the true annual value than the comparatively simple method which I propose. It may turn out that the right hon. Gentleman's "rough and ready" method may do more mischief than the proposal I make. In regard to Sub-section 2, I should say that the fact that the rents fixed before 1886 were revised in 1887 and again in 1888 and 1889 in consequence of the fall in prices—

MR. MACARTNEY (Antrim, S.): Fall in prices! It was all the other way.

MR. SEXTON: I say that the fall in prices has not ceased to operate. There is a sufficient body of evidence for the limited purpose of the present Amendment to justify the fixing of the annual value on any holding upon what I think is a sounder basis than that of the

shadowy "rough and ready" method of the right hon. Gentleman. The right hon. Gentleman's observations about the Poor Law valuation have nothing to do with the question. I did not urge that the Poor Law valuation should be made the basis. I simply asked that the relation between the judicial rent and the Poor Law valuation should be taken as a guide.

(4.30.) MR. MACARTNEY: I should like to draw the attention of the Committee to the fact that from 1886 to the present year there has been a very considerable rise in the price of corn in Ireland. This is clearly proved by the only statistics available in this House.

(4.33.) MR. M. HEALY: The hon. Member may have satisfied himself that there has been a rise in prices, but I do not think he has satisfied anybody else in this House. I would point out that the necessity of having this long definition is the most complete demonstration of the absurdity of the provisions respecting the right hon. Gentleman's fund. With respect to the first part of my hon. Friend's Amendment, the Government and he are in the most complete accord, and they both take judicial rent as the standard of actual value. As regards the second part of the Amendment, the right hon. Gentleman has no better reply than to say that it really does not matter whether the tenant pays a high or a low annuity, because he is purchasing his farm. The Amendment fixes the purchase annuity at a rate which the purchaser will probably be able to pay. The proposal of the right hon. Gentleman fixes it at a rate which will, in my opinion, go far to kill land purchase altogether. The reduction of judicial rents was determined on in 1887, because Parliament had been absolutely satisfied, through the machinery of the Cowper Commission, that judicial rents during the six years commencing with the passing of the Act of 1881 had been fixed on much too high a basis, and had left the tenants who had had their rents fixed very much in the position they occupied before the passing of the Act. It is notorious in Ireland that the judicial rents fixed since 1887 have been fixed with much greater care and skill than was formerly the case. There can be no doubt that the administration of the Act has been carried out in a much more careful way, and that the rents will stand the test of examination much more than those fixed previously. Of course, it is not a matter of capital importance; but, if you are to depart from the judicial rents at all, I do not see why, when fixing the amount of the purchase annuity, instead of taking the bare and naked judicial rent, you should not take the rent as equitably modified according to the provisions of the Act of 1881. It is true that the Poor Law valuation could not be taken universally, or anything like universally, as the standard of value. But the point my hon. Friend takes is that the relation between the Poor Law valuation and the judicial rents fixed in the neighbourhood gives a very fair test as to the degree in which the Poor Law valuation has departed from the correct standard of value. It is, therefore, no answer for the right hon. Gentleman to say that the Poor Law valuation was fixed long ago. My hon. Friend's Amendment takes that into consideration, and employs the Poor Law valuation practically as modified by the subsequent experience of the Sub-Commissioners in fixing rents. In that way he arrives at a method which, if adopted, would furnish a very good clue to what the value is. The right hon. Gentleman has complained that my hon. Friend's Amendment is unnecessarily elaborate, but he seems to forget that his proposal involves an inquiry by the Land Commission in every case equally elaborate before they can ascertain what the judicial rent ought to be.

(4.45.) MR. KNOX (Cavan, W.): I believe my hon. Friend attaches more importance to the second part of the Amendment than to the first. Of course, it may be that the judicial rents fixed before 1886 were too high, but that is according to the standard you hold. Hon. Gentlemen on that side no doubt think they are too low, while others think they are too high. But we do not care to enter upon that question. I venture to think it will be well to insert a provision of this sort; and where it is put in operation in the West of Ireland, you could take into account the abatements voluntary or enforced by the landlord during the year previous to the purchase, especially in the case of judicial rents fixed at the higher rate.

MR. M. J. KENNY (Tyrone, Mid.): The first point I would suggest to the right hon. Gentleman is, that a manifest injustice would be done to those tenants whose rents were temporarily fixed by the Act of 1887, and I think the Chief Secretary should bear in mind that fact, so that no injustice may be done to those tenants under this Act. The second point is that immense delay must take place if application must be made to the Land Commission, and I think better machinery for the purpose could be devised.

MR. A. J. BALFOUR: It will be better to leave the Land Commission to determine what methods should be taken to arrive at the annual value. No doubt they will adopt a rough and ready method of doing this, by which, however, substantial justice to the tenant will be done, and by means of which neither delay nor friction in the working of the Act will be caused. For example, they will take into consideration the rent payable, the amount and the circumstances in which it has to be paid, the character of the holding, the character of the reductions made on holdings of a similar kind, and other particulars affording a very fair ground for coming to a conclusion as to what would be the fair annual value on which to base the purchase annuities.

MR. CHANNING (Northampton, E.): I wish to ask whether the wording of the paragraph does not practically limit the Land Commission in dealing with the annual value, and therefore preclude the Commission from going into the questions which the right hon. Gentleman has indicated? I advocate the principle of a sliding scale in order to produce the minimum of discontent among purchasers in Ireland.

(4.55.) The Committee divided:—Ayes 42; Noes 101.—(Div. List, No. 233.)

(5.8.) MR. SEXTON: I think it would be only fair to substitute for the arbitrary deductions of poor rate and Grand Jury cess proposed in the clause the actual expenses of the landlord, which would include tithe rent-charge, agent's salary, cost of management, bad debts, and so on, in order to ascertain the annual value of the holding. I beg, therefore, to move to insert words to a view of carrying out this object.

Amendment proposed,

In page 17, line 1, to leave out from the word "means," to the word "determined," in line 11, and insert the words "the rent of the holding, after deducting from that rent the tithe rent-charge, if any, payable to the Land Commission (unless such tithe rent-charge is to be redeemed by the landlord), and the average percentage for expenses in respect of bad debts, rates, or cess, allowed or paid by the landlord, management, repairs, and other like outgoings, if any; and such average percentage shall be ascertained by finding the average percentage on the rent for the time being of the estate of which such holding forms part, to which such expenses have amounted during the five years next before the date of the application for an advance."—(*Mr. Sexton.*)

Question proposed,

"That the words 'the annual sum which at the date of the application for an advance under the Land Purchase Acts is' stand part of the Clause."

MR. A. J. BALFOUR: I contend that the Government have proceeded on a perfectly defensible basis. They do not take into account charges hitherto paid by the landlord, but which will not be paid by the tenant who may become the purchaser of a holding. Among these are charges for estate management, agent's salary, cost of collection of rent, bad debts, and other analogous charges, which are vitally important to the landlord, and of no importance to the occupier when he becomes the freeholder of his holding. The tithe rent-charge has, as a matter of fact, been generally commuted; but there are certain cases in which it has not been commuted, and in these cases it is only right that the charge should be deducted from the gross rent. Words might be introduced to meet that case.

*(5.15.) MR. KNOX: A distinction might be drawn by the Government between bad debts and voluntary abatements given by the landlord to the tenant. It is only fair that an abatement should be deducted from the gross rent. Is it likely that a tenant will purchase under the Act when by so doing he will actually be called upon to pay more every year for some years to come than he has been paying in the past? If a landlord has been in the habit of giving an abatement of 20 or 30 per cent., why should the tenant make himself liable to pay a greater sum to

the Government? I venture to think that unless this Amendment is agreed to there will be no land purchasers under this Act in some parts of Ireland. I hope the Government will re-consider this point, which is all-essential to the successful working of this Bill in the West of Ireland.

(5.18.) An hon. MEMBER: I hope that my hon. Friend will persevere with this Amendment, which I think deals with one of the weakest and worst points in the Bill. The measure will enable the landlords to extort a higher number of years' purchase than they would have obtained under the Bill of the right hon. Gentleman the Member for Mid Lothian, and the British taxpayer is to be made to pay the excess. The mischief will be markedly gross in the congested districts.

*(5.20.) MR. SINCLAIR (Falkirk, &c.): The argument of the hon. Member seems to be based on a misconception of the principle of the Bill. That is, that there shall be an agreed sum as between landlord and occupier, and that agreed sum has nothing to do with the "annual value of the holding," which we are now endeavouring to define. Moreover, these words do not once occur in the portion of the measure dealing with the congested districts. The Amendment is based upon what appears to be entirely a misconception, and I trust the hon. Member will not press the matter to a Division, but will allow us to proceed with the more material parts of the Bill.

MR. SEXTON: The hon. Member takes to himself the incredible conceit that he can settle the matter by simply telling us we are under a misapprehension. He entirely ignores the fact that this clause if applied to the congested districts will be most oppressive —more so than in any other part of Ireland.

MR. LABOUCHERE (Northampton): I desire to know on what principle these estates are going to be valued. Yesterday I was told that the full market value was to be taken, but, as I pointed out, where there are no sales it is impossible to have a market value. Now it is stated that the annual value will be taken. The truth is, that these properties have no economic value at all; and that if we took them at what is called their commercial value, we should not pay 1s. for them.

(5.25.) MR. A. J. BALFOUR: The hon. Gentleman is always zealous in the interests of the British taxpayer, but this matter has nothing to do with that personage either directly or indirectly. The Amendment has nothing to do with the amount which the landlord will receive from his tenant. The object of this part of the clause is merely to determine the amount of the annuity which the tenant shall pay during thefirst five years after he has purchased.

MR. CHANCE (Kilkenny, S.): Then that should be clearly defined. We have here a series of ingenious checks which constitute perfect nonsense, and which, operating one on the other, will have the result of completely and absolutely stopping the operation of the Bill unless the Commissioners act as prudent men and disregard them.

(5.28.) The Committee divided:—Ayes 102; Noes 43.—(Div. List, No. 234.)

(5.38.) Amendment proposed, in page 15, line 4, after "therefrom," to insert "tithe rent-charge."—(*Mr. Sexton.*)

Agreed to.

MR. M. HEALY: I hold that Income Tax under Schedule A ought also to be deducted. For this tax after purchase the tenants will be liable. At present it is paid by the landlord. Therefore, to get at the net annual value of the holding it will be necessary to deduct Income Tax.

Amendment proposed, in page 17, line 6, after "poor rates," to insert "Income Tax."—(*Mr. M. Healy.*)

MR. A. J. BALFOUR: I am not at all sure that this comes under the same category as poor rate and county cess; but as the Amendment is not on the Paper, and as I am not prepared at the moment to say whether I can accept it or not, it would be well to postpone the point to the Report stage.

MR. M. HEALY: It is reasonable that as notice has not been given, the right hon. Gentleman should have time to consider the Amendment, and I will therefore defer it. I can assure the right hon. Gentleman that Income

Tax does stand exactly on the same basis as poor rate.

Amendment, by leave, withdrawn.

(5.42.) MR. CHANCE: I have to move an Amendment to supply what I imagine is a pure omission—the payments made under the Fishery Piers and Harbours Act. The tenant pays these assessments, and, as a matter of fact, half of the payment is deducted from the rent, and thus the landlord pays half the rate. It is clear, therefore, this must be taken into account in considering the net annual value. Where a tenant now pays 1s., and gets back 6d., he will, when he becomes purchaser of the holding, have to pay the whole rate. I do not think it is necessary to argue the point.

Amendment proposed, in page 17, line 7, after the word "cess," to insert "including assessments under the Fishery Piers and Harbours Act."—(*Mr. Chance.*)

*MR. MADDEN: I think this Amendment had better be put down for Report, in order that I may consider whether this rate is included in the Grand Jury cess.

(5.44.) MR. CHANCE: No, that is not so. A separate receipt is always used, and the half is allowed by the landlord as a matter of course. The thing is perfectly clear, and I really do not see why we should defer this to Report. If the right hon. Gentleman inserts it now he can move to have the Amendment struck out on Report. But I can assure him I have looked over the Act, and I speak with absolute knowledge of what is the fact. The right hon. Gentleman has no information on this point, and yet asks the Committee to ignore my statement.

*MR. MADDEN: I do not in the least degree mean to state that the hon. Member is wrong. If he had put a notice on the Paper, I should have had an opportunity of reference to the Act. Before I can say I accept the Amendment I must satisfy myself, and the Amendment can equally well be made on Report.

MR. CHANCE: So also could the right hon. Gentleman look into the point, and make a correction of the Amendment on Report.

Amendment negatived.

MR. KNOX: I now move the Amendment standing in the name of the hon. Member for Meath (Mr. Mahony), in line 7, after "cess," insert—

"And the average cost of collection and the average amount of loss from allowances to tenants, or irrecoverable rent during the past 10 years."

I am anxious to arrive at some compromise in this direction, and I am willing to omit the words "irrecoverable rent."

THE CHAIRMAN: This Amendment seems to be covered by the Amendment rejected by the Committee when moved by the hon. Member for West Belfast.

MR. KNOX: That Amendment, I think, covered a wider ground.

THE CHAIRMAN: This Amendment seeks to raise again the question upon what the Committee decided.

Amendment proposed,

In page 17, line 10, after the word "holding," to insert the words "such annual value shall be ascertained by the Land Commission in the manner prescribed by rules to be made by them, and in such case."—(*Mr. A. J. Balfour.*)

Question proposed, "That those words be there inserted."

(5.49.) MR. M. HEALY: It would be proper, I think, to lay down the principle that is to guide the Land Commission in arriving at the annual value. I understand that it is the intention of the right hon. Gentleman that the Commission shall fix the annual value on the same principle as they would fix judicial rent.

MR. A. J. BALFOUR: Quite the reverse.

MR. M. HEALY: In reply to myself this evening, the right hon. Gentleman dealt with the matter at length, and I gathered nothing inconsistent with the idea of fixing the annual value on the same basis.

MR. A. J. BALFOUR: Surely the many speeches I have made on the point have made clear my opinion that the Commissioners will adopt a much more rough and ready process than they would if dealing with an agreement as between landlord and tenant.

MR. M. HEALY: We do not seem to understand each other. I do not propose that the Land Commission, in fixing

the annual value, should go through an elaborate process involving a hearing in Court, an elaborate process of inspection, and taking evidence. What I mean is this: that the same principle should be applied as would be applied in fixing a judicial rent, that the Commission should deal with tenants' improvements on the same principle, excluding the tenants' improvements, as they would in fixing judicial rent, though not by an elaborate process.

(5.52.) MR. A. J. BALFOUR: Surely the hon. Member by laying down a rule of the kind would compel that costly and elaborate method of investigation we desire to avoid. The Commissioners will frame their rules carrying out the idea. We have simply to make the tenant pay upon the annual value of the landlord's share in the holding which he has bought.

MR. M. HEALY: We are quite agreed upon what should be the idea; the only point of difference is whether the Bill should carry it out. There is nothing in the Bill which compels this principle being applied in fixing the annual value.

MR. A. J. BALFOUR: Yes, there is.

MR. M. HEALY: The right hon. Gentleman relies on the words "annual value of the interest purchased," but if he had any experience of fixing fair rents he would know that too often many improvements are not taken into account. However, if he is clear on the point, I take it the Land Commission will act as he suggests.

MR. CHANCE: Are the Rules to be laid before the House? I have been concerned in many land cases, and so has my hon. Friend the Member for Cork, and I can say that wherever the Land Commission can exact from a tenant rent on his own improvements they do so. We assume that the same course will be followed, and we have no control over the Commission.

DR. CLARK (Caithness): I should like to know whether we are to meet again next Thursday or not?

THE CHAIRMAN: Order, order!

DR. CLARK: I will move to report Progress, to ask the question——

THE CHAIRMAN: Order, order! The question is that the proposed words be here inserted.

(5.55.) MR. SEXTON: There is much force in the observations of my hon. Friend. The Commissioners will be removed from our criticism, and in a matter of such grave importance as fixing the annual value it is not fit that the final decision should be left entirely to an irresponsible body. The House, I think, should have the power of protecting the tenant's interests, and therefore I beg to move an Amendment to the Amendment of the right hon. Gentleman.

Amendment proposed to the proposed Amendment, after the word "them," to insert the words "subject to the approval of Parliament."—(*Mr. Sexton.*)

Question put, "That those words be there inserted."

(5.58.) The Committee divided:—Ayes 41; Noes 106.—(Div. List, No. 235.)

Original Question again proposed.

(6.10.) MR. CHANCE: I move to insert after "them," in the proposed Amendment, "and shall not include improvements made by the tenant or his predecessor in title." I do not assume it is necessary to say a word in favour of the Amendment. It is too late in the history of Irish land legislation to talk about the Act of 1870 as an Act for the confiscation of the landlord's property. If that Act and this Bill are to be realities it will be perfectly monstrous to compel a tenant to pay for his improvements over again. The words I propose must be inserted, or the Land Commission will go on doing what they have always done, that is, attempt to carry out the policy of the Government and their supporters and take away, penny by penny, and pound by pound, the tenants' improvements.

Amendment proposed to the proposed Amendment—

After the word "them," to insert the words "and shall not include improvements made by the tenant or his predecessor in title."—(*Mr. Chance.*)

Question proposed, "That those words be there inserted."

(6.12.) MR. A. J. BALFOUR: I do not pretend to say what motive the hon. Gentleman has in moving the Amendment, but his motive cannot be to improve the Bill. The hon. Gentleman knows quite enough of the matter to be perfectly aware that the addition of his words would make nonsense of the clause.

The addition would be mere surplusage, the clause being quite clear as it now stands.

MR. CHANCE: Does the right hon. Gentleman pretend that the existing law protects the tenant's improvements? It is idle for anyone who knows anything of the Land Courts to make such an assertion. The Land Commissioners have certainly got the cue from the right hon. Gentleman to reckon the tenant's improvements. We must certainly take a division upon the Amendment.

(6.15.) MR. SEXTON: So far from agreeing with the right hon. Gentleman that the clause as it stands is clear, and that the addition of the proposed words would be surplusage, I think the clause directs the Land Commission to rent the tenant upon his improvement. It is absolutely necessary the Amendment should be accepted if the meaning is to be made clear.

(6.16.) The Committee divided:—Ayes 44; Noes 105.—(Div. List, No. 236.)

Original Question put, and agreed to.

(6.25.) MR. M. HEALY: I see that the definition of "purchase annuities" is limited to purchase annuities consequent on the issue of Stock. Could not the definition be extended so as to apply to purchase annuities under the Ashbourne Acts?

MR. MADDEN: I do not think that would be consistent with the arrangements of the Bill. It is expressly intended to separate the annuities consequent upon the issue of Stock from the annuities under the Ashbourne Acts.

MR. M. HEALY: The definition is rather ambiguous, and I suggest the right hon. and learned Gentleman should accept some such words as these—

"And the said Acts and this Act may be cited as the Land Purchase (Ireland) Acts 1871 to 1891."

MR. MADDEN: I accept that.

Amendment proposed,

In page 17, line 31, after "1891," to insert "and the said Acts and this Act may be cited as the Land Purchase (Ireland) Acts 1871 to 1891."—(*Mr. M. Healy.*)

Question, "That those words be there inserted," put, and agreed to.

MR. M. HEALY: In respect to the definition of "county," is it not necessary that the definition shall include the "Ridings of Tipperary?" I beg to move to add at the end of the clause—

"The expression 'county' includes a Riding of a county where such Riding is separate from the county for fiscal purposes."

MR. MADDEN: I accept that.

Amendment made.

Clause 18, as amended, agreed to.

Clause 19.

(6.30.) MR. M. J. KENNY: It is proposed by this clause to alter the position of the two Commissioners who are not Purchase Commissioners. I protest against extending the provisions of the Bill to officers who will have nothing whatever to do with land purchase, and to alter altogether the tenure of office of Mr. Wrench and Mr. Fitzgerald. If there is to be any change in the position of the Commissioners, it should have reference only to those officers who have to do with the administration of the Land Purchase Acts. I am perfectly astonished that the Government should propose, by a side wind, to alter the tenure of office and *status* of these gentlemen.

Clause agreed to.

MR. A. J. BALFOUR: We have now finished the whole Bill with the exception of the Schedules and the new clauses. I had hoped that by the time we should have disposed of the Committee stage, with the exception of the discussion of the important clauses which stand next on the Paper. That hope has been disappointed. It is not necessary to consider whether there has been any fault, and, if so, whose fault it has been. At the same time, I have now, in obedience to the general declaration of policy made by my right hon. Friends the First Lord of the Treasury and the Chancellor of the Exchequer, to propose that we shall suspend our labours upon this measure until Thursday next. On Thursday next we shall resume the discussion on the first of the new clauses which stands in my name, and I have accordingly to move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress,

and ask leave to sit again."—(*Mr. A. J. Balfour.*)

(6.35.) MR. SHAW LEFEVRE (Bradford, Central): I venture to hope that some means may be found, even now, to extend the holiday somewhat. I think the Chancellor of the Exchequer would have done well had he listened to the demand of the hon. Member for West Belfast (Mr. Sexton) at the beginning of the Sitting. The right hon. Gentleman has not acted in quite a conciliatory manner. On the other hand, I would appeal to my hon. Friends below the Gangway. There are sufficient reasons why it is desirable there should be a longer adjournment. A great number of Members are suffering from influenza; officers and servants of the House are disabled from attending, and it is extremely desirable the House should be well fumigated. I understand that cannot well be done until after Tuesday next, and if the House resumes on Thursday there will not be sufficient time for fumigation. There are many Members who wish to take part in the discussion on the new clauses, and many of them will not be able to be here on Thursday next. I appeal to my hon. Friends below the Gangway whether they might not facilitate the passing of the Bill by going through the new clauses with the exception of the important clause of the Chief Secretary, so that the House may adjourn until Monday week We have supported many of the changes proposed by the Irish Members, and I submit that we are entitled to some consideration in the matter. I think hon. Members below the Gangway will act in consonance with the feeling of the House if they will endeavour to make some arrangement.

(6.39.) MR. A. O'CONNOR (Donegal, E.): Those who sit below the Gangway on this side are quite as anxious as the right hon. Member for Bradford to have as long a holiday as possible. For my own part, I find no particular delight in the Sittings of the House, and I should not care much if I never came here any more. While I am here, however, I must discharge what I believe to be my duty. We were led to believe that the adjournment of the House would be moved at 7 o'clock. We have not yet reached that hour, and already the Adjournment Motion has been made. I would ask the Government their intentions with regard to a new clause on the Paper relating to the position of a very important section of the community in Ireland—more lowly than the farmers, but equally numerous, and having as much right to consideration as the farmers themselves. I refer to the agricultural labourers. This Bill furnishes an opportunity for doing a great deal more for the agricultural labourers of Ireland than has been done under the Labourers' Act, and I hope we shall be able to obtain such an assurance from the Government as will enable us to let the matter stand over until the Report stage.

(6.41.) MR. SEXTON: We take note of the declaration of the Chief Secretary. The situation may not be very pleasant to hon. Members generally, and is not agreeable to us. We have tried twice to obtain a discussion on the case of the evicted tenants, which is a vital part of the agrarian case, but the Government have prevented us. The first time we were despicably closured, after two or three Members had spoken. The second time the clause on which we intended to raise the discussion was snatched from our hands. We have sought further opportunity of taking discussion, and now it appears that the condition on which our holidays are to be given is that we must deprive ourselves of that opportunity. I will never consent to have my holiday regulated at the will and caprice of a Government, or any individual Member of a Government; and if I am only to have a holiday at the price of what I consider to be my duty, I would rather never have a holiday so long as I remain a Member of the House. If we are to be driven by the whip of the Chief Secretary and the Chancellor of the Exchequer, I shall, when the proper time arrives, propose to substitute Monday next for Thursday, because I think we had better go on than have the farce of a holiday only till Thursday. Last night I told the Chancellor of the Exchequer that we might desire that a limited number of clauses should be held over, and in the absence of any dissent from the right hon. Gentleman I did think it possible that he might accept our proposal. To-day I simply ask that along with the Amendment of the right

hon. Gentleman the Chief Secretary my Amendment on the question of arbitration may be taken. Perhaps the right hon. Gentleman thinks we intend to take advantage of the renewed Committee for dealing with other Amendments. I am here to say that my hon. Friends will be willing not to press any of the other Amendments standing on the Paper, but to postpone them till the Report. We should only use the remainder of the Committee stage for the right hon. Gentleman's Amendment and my Amendment, and even a fragment of a Sitting would be sufficient for mine. I do not desire any long discussion. I want a brief discussion, but a free discussion in Committee. If this is refused there is nothing at the bottom of the situation but sheer obstinacy, and it is not a question of convenience or of the interests of the Bill. If the Government persist in driving us on in Committee, time will be both lost and gained. If the Chancellor of the Exchequer will allow us to maintain our rights, not only will the convenience of the House be generally served by the prolongation of the holiday, but it will be found that time will not be lost, but gained.

(6.45.) COLONEL SAUNDERSON (Armagh, N.): I beg to warn her Majesty's Government against entering into a compact on the strength of the promise made by the hon. Member for West Belfast (Mr. Sexton). The hon. Member for Londonderry (Mr. M'Carthy) is not present, and it is generally understood that the hon. Member for Londonderry is the guide of the Party opposite. Neither is the hon. Member for North Longford (Mr. T. M. Healy), who guides hon. Members from Ireland when he is in the House, present at the discussion. Moreover, a Committee has been appointed to watch the hon. Member for Londonderry, and the Members of that Committee are not present. As far as I know the hon. Member for West Belfast has no power to make arrangements for any one but himself.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I trust that we shall be able to separate till Thursday next with good temper and with no heat or feeling on either side. The Government is unable to make a bargain with any single Member of the House. The hon. Member for West Belfast has selected one clause to be held over, but there is no reason why that clause should receive more special treatment than any other. There are other hon. Members who attach just as much importance to the clauses which they in their turn wish to bring forward. Last night I was as positive as possible that under no circumstances could the Government keep over more than one clause, and on the strength of that declaration many hon. Members have removed their Amendments from the Paper. We have no desire to exclude the hon. Member's Amendment from discussion, and I hope that the House will meet on Thursday with the desire to make all possible progress with the clauses on the Paper.

(6.48.) MR. A. O'CONNOR: Allow me to say that, in the absence of the hon. Members for Derry and Longford, I as an individual Member of the Party am very glad to follow the lead of my hon. Friend the Member for West Belfast. I believe that every hon. Member from Ireland, sitting below the Gangway, will have the same feeling. I would ask whether during the Recess the Government will consider the possibility of utilising the Bill in the interests of the agricultural labourers?

MR. A. J. BALFOUR: Of course I shall be perfectly ready to consider any clause which may be proposed, but that promise must not be supposed to indicate an intention of accepting the clause.

MR. CALDWELL (Glasgow, St. Rollox): We have brought the matter down now to two clauses, and as regards the clause of the hon. Member for West Belfast I think it is but right to state that from the Irish Members' point of view it is the most material clause that could be brought forward on the Land Purchase Bill. The case of the evicted tenants concerns not only the hon. Member for West Belfast, but also the whole of the Party. I think it is most unreasonable that the Government, after having taken up so much of the time of the House in the discussion of this Bill, should, for the sake of one clause, ask the House to re-assemble on Thursday next. It would be well for the Government to recollect that while they are able, by means of

their great majority, to carry any proposal they choose to make, the minority have also large powers in the regulation of business in this House; and it is a mistake on the part of the Government to think that they can, by sheer force, push a particular Bill through this House without being under the necessity of making some kind of a compromise with the other side. If the Government were only prepared to make a reasonable compromise in regard to this matter the probability is that when the House meets again what remains to be done in relation to this measure would take up a very small amount of time, because practically it would be reduced simply to the one point I have referred to, and that an amicable adjustment being agreed to at the present moment would materially facilitate future business. Reference has been made by the Government to Amendments having been withdrawn, but as far as those Amendments are concerned, their withdrawal, especially by supporters of the Government, was nothing more than could reasonably be expected. With regard to Amendments on the other side, it may be said that the Amendments proposed by the hon. Member for West Belfast have undoubtedly been put forward by the Irish Party in what they conceive to be the true interests of this Bill.

SIR J. GOLDSMID (St. Pancras, S.): I beg to move that the question be now put.

MR. CALDWELL: I say, Sir, that the hon. Member for West Belfast must be recognised in this matter as representing the views and intentions of the Irish Party; and I appeal to Her Majesty's Government to re-consider the course they are proposing to take. If they decline to yield upon a point which is only just and reasonable, I do not think—judging, at any rate, from my own experience of the House—that they will be doing the best they can to promote the progress of this Bill. On the contrary, their action is more likely to occasion delay. If the Government are obstinately determined on refusing to act in a fair spirit of compromise, and insist on enforcing their own views on this subject, regardless of the feelings and wishes of the Opposition, they will very probably find that instead of their having secured any benefit by the course they are taking, they will have done that which will only add to their embarrassments.

Question put, and agreed to.

Committee report Progress; to sit again upon Thursday next.

MOTION.

ADJOURNMENT.

Motion made, and Question proposed, "That this House, at its rising, do adjourn till Thursday next."—(*Mr. Chancellor of the Exchequer.*)

(6.55.) MR. SEXTON: I beg to move, as an Amendment, that the House, at its rising, adjourn till Monday next. A holiday to Members of this House to be of any use should be of a reasonable duration. No cause whatever has been shown why hon. Members who for the last month have worked so hard in Committee on the Land Purchase Bill should not have a reasonable holiday. If we are to be put off with a paltry holiday of four days which is almost worse than useless it would be much better that we should take no holiday at all.

Amendment proposed, to leave out the word "Thursday," and insert the word "Monday."—(*Mr. Sexton.*)

Question proposed, "That the word 'Thursday' stand part of the Question."

MR. GOSCHEN: The Government cannot accept the Amendment of the hon. Member. Nearly all the Members of the House have made their arrangements for a holiday, and for the House to meet on Whit Monday would be a course that has never been taken before. Moreover, as the Land Purchase Bill has been put down for next Thursday it could not be discussed on Monday next, even if we were to meet on that day.

(7.0.) The House divided:—Ayes 100; Noes 38.—(Div. List, No. 237.)

Main Question put, and agreed to.

Resolved, That this House, at its rising, do adjourn till Thursday next.

House adjourned at ten minutes after Seven o'clock till Thursday, 21st May.

HOUSE OF COMMONS,

Thursday, 21st May, 1891.

NEW WRIT.

For the Borough of Paisley, *v.* William Boyle Barbour, esquire, deceased.—(*Mr. Arnold Morley.*)

QUESTIONS.

IRISH MAILS.

DR. TANNER (Cork Co., Mid): I beg to ask the Postmaster General whether any and, if so, what steps will be taken to provide for the extension of a mid-day mail to West Cork, by a quick mail train that would secure the delivery of letters at about 3 o'clock p.m., with their delivery at 4 p.m. at Bantry and Skibbereen, to enable professional men, merchants, traders, and others to reply to communications received by the mid-day mail?

THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The question whether any improvement can be made in the Day Mail Service to West Cork is now under examination, and no time shall be lost in coming to a decision upon it. The hon. Member may not have noticed that I answered what was practically the same question yesterday, in reply to the hon. Member for South Cork.

DR. TANNER: I beg to ask the Postmaster General when it is proposed to run a mail car from Inchageela and Ballingeary to Macroom, in the County of Cork; and what postal arrangements are proposed to be made at Kilbarry, near Inchageela?

MR. RAIKES: I have just sanctioned the establishment of a Mail Car Service between Macroom and Ballingeary, and the necessary arrangements will be completed very shortly. I have also had pleasure in authorising the opening of a post office at Kilbarry, at which the letters now taken charge of by the national schoolmaster will be left to be called for.

INTERMEDIATE EDUCATION IN IRELAND.

MR. M. HEALY (Cork): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Board of Intermediate Education in Ireland, in prescribing the subjects of study for the new preparatory grade, have omitted Natural Philosophy and Chemistry, though these subjects were always included in the junior grade, and though the preparatory course includes the study of five languages—Latin, Greek, French, German, and Italian; and whether the Board will re-consider this exclusion, in view of the injury which will necessarily follow to schools which devote themselves to a commercial rather than a purely literary course of study? I also beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the increasing tendency of the Board of Intermediate Education in Ireland to give their examinations a purely literary direction to the detriment of students deriving a commercial education; whether, in the new preparatory grade, purely literary subjects (Greek, Latin, English, French, German, and Italian) between them are allowed 5,500 marks out of a possible total of 7,000, while the commercial subjects (Arithmetic, Euclid, Algebra, and Drawing) get only 1,500 marks, and Book-keeping, Natural Philosophy, and Chemistry are entirely excluded, though always hitherto included in the curriculum for boys of the age for whom the preparatory course is intended; whether, in the other grade, the same disproportion is observed between literary and commercial subjects, and the new commercial course only comes into operation for youths in their 17th year, an age at which very few youths intended for commercial pursuits can continue to remain at school in Ireland; and whether the Board will reconsider their new programme, with a view to making it less unfavourable to commercial students?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Assistant Commissioners of Intermediate Education report that the matters referred to in these questions

are under the re-consideration of the Board.

MR. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when the Board of Intermediate Education in Ireland will be prepared to supply the statistics asked for in previous questions?

MR. A. J. BALFOUR: The Assistant Commissioners of Intermediate Education report that additional rules which the Board have made and submitted to the Lord Lieutenant will probably render the furnishing of the statistics for which the hon. Member has asked unnecessary. But if, when the additional rules have been promulgated, the statistics are still required they can be furnished in July upon the completion of the work in connection with the approaching examinations.

THE DISINFECTING OF THE HOUSE.

MR. MACARTNEY (Antrim, S.): I beg to ask the First Commissioner of Works whether he can make any statement as to what measures have been taken in the Recess with regard to ventilating and fumigating the House?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): I am glad my hon. Friend has given me this opportunity of making a statement which may serve to allay some apprehensions which otherwise might naturally be entertained. During the Recess this House, with its Lobbies and the surrounding rooms used by Members, including the Tea Rooms and Reading Room, also the rooms used by Ministers, by the officials of the House, and for official purposes generally, have been thoroughly fumigated with sulphur and afterwards sprinkled with eucalyptazone. The tiled floors have been washed with carbolic soap, and the cushions, carpets, and other moveables have been taken out and thoroughly cleaned. The Libraries have been purified with thiocamp, a preparation of sulphur and camphor, which, as I am advised, is a powerful disinfectant, but does no damage to bookbinding or gilding. A strong current of air has also been driven frequently through the building. On the whole, hon. Members may rest assured that this House is at the present time probably the best cleaned and purified House in London.

PUBLIC BUSINESS.

MR. SHAW LEFEVRE (Bradford, Central): I think it will be for the convenience of the House if the Chancellor of the Exchequer will state the course of business, and whether the Government propose to take the Land Bill to-morrow.

MR. LABOUCHERE (Northampton): May I ask what is the meaning of the second Order on the Paper—Supply,—Progress; are we to understand that Supply will be taken in the event only of the Land Bill getting through Committee?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Yes; Supply will only be taken in the event of the Land Bill going through in time. If not, we shall to-morrow proceed with the Land Bill at the usual hour. On Monday, if we are through with the Land Bill either to-day or to-morrow, we shall take a Vote on Account as the first proceeding in Supply.

MR. PICTON (Leicester): Will the Chancellor of the Exchequer tell us when the Bill to provide free education will be introduced?

MR. GOSCHEN: As soon as we know when the Land Bill is through, we shall be able to give a better idea as to the time.

MR. PICTON: Through Committee?

MR. GOSCHEN: I have given an answer to the hon. Member, and I have applied it to the whole Bill.

ORDERS OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

New Clause—

(Allocation of the sum available for purchase in proportion to the value of holdings.)

(a.) The Lord Lieutenant shall, within one year from the passing of this Act, ascertain as

nearly as may be and declare as regards each county the proportion between the total number of tenants of holdings for the purchase of which advances may be made under this Act, and the number of such tenants whose holdings are of a rateable value exceeding thirty pounds.

(b.) The Land Commission, in making advances under this Act, shall have regard to such proportion, so that as far as practicable the total amount advanced under this Act to tenants of holdings the rent of which exceeds thirty pounds in any county as compared with the total amount advanced under this Act in the county shall not exceed the above proportion, except where in the opinion of the Land Commission an advance to a tenant of the first-mentioned class is necessary for carrying into effect sales on the estate of the same landlord.

Provided that if and whenever the Land Commission have made advances in any county to tenants of holdings the rent of which exceeds thirty pounds to the extent hereinbefore mentioned, the Lord Lieutenant may, on the recommendation of the Land Commissioners, if he thinks fit, by order authorise the Land Commission to disregard the said proportion either entirely or to the extent specified in such order, but the order shall not come into operation until it has lain before both Houses of Parliament for not less than thirty days nor if either House passes a resolution objecting to it, and shall not continue in force for more than two years.

(c.) Nothing in this section contained shall invalidate any advance actually made,—(*Mr. Arthur Balfour,*)

—brought up, and read the first time.

(3.45.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I do not know whether I have much to add to what I have already said on this subject in introducing this clause, which deals with one of the most difficult problems which this land question presents. The House knows that the amount of money at our disposal, though large, is limited in comparison to the claims which will eventually be made upon it by the occupying tenants in Ireland. The distribution of the money, therefore, obviously presents a problem of the first importance. The question is whether, by introducing any clause like the present, we can do anything to make that distribution of money to the various tenants in Ireland what the House would desire. We have, of course, no conclusive evidence as to what the distribution is likely to be in the future; we can only judge from the experience of the past, and the figures of the working of the Ashbourne Acts afford very serious material for consideration with regard to this point. Roughly speaking, the tenants at and under £30 are about 92 per cent. of the whole number of those who can take advantage of the Act, which may be taken at 552,000. This is manifestly a number too great to take advantage of the Purchase Act. If these tenants bought in the same proportion under this Act as they have done under the Ashbourne Acts, they would get, instead of their fair share, about 51 per cent. of the money, instead of 92 per cent. The tenants between £30 and £50 are about 7 per cent.; they would get, on the same calculation, 15 per cent. Those between £50 and £100 are about 5 per cent., and I find that these would get no less than 21 per cent. of the money. Tenants of holdings above £100 are about 2½ per cent. of the total number of tenants, and, although only 2½ per cent., they would get 26 per cent. of the money available under the Bill. I cannot believe that any man who knows anything about land purchase would desire that the proportion should follow exactly on the lines of the experiments which have already been made. That being so, we have to consider whether any better machinery can be devised. I am perfectly aware that a very large number of gentlemen in Ireland, for whose opinions I have the highest respect, and who desire to make land purchase a reality, benefiting not one class alone, but all classes equally, are very strongly opposed to this clause. They appear to be of opinion that it introduces a limitation into the Bill, and that it would arbitrarily limit the operation of the Bill. No doubt there is a limitation under the Bill, but that is not introduced by this Amendment. It is introduced by the provision which precludes the country from advancing more than a certain proportion, whatever it may be, of the Guarantee Fund, and from advancing, in the first instance, more than £30,000,000. Now, I am not introducing any limitation by this clause, but the clause really removes a limitation. It will enable a vast number of the smaller tenants in Ireland to purchase who would be excluded if no such regulation were made. Therefore, I repudiate the suggestion that this

Amendment has any other object than that of making as far-reaching as possible the blessings which I hope will follow the great measure the Government have introduced. Tenants of over £30 are under a great illusion. Of course, it is true that there would not be so much money for them, but they appear to think they would be excluded from the benefit of the Act by this clause. That is not the intention, although it is a view which seems to be widely entertained by the tenants of Ulster. But what are the facts? They are these—that, according to the Return laid upon the Table, over £5,000,000 will be devoted to the purchase of tenancies of over £30 value. We have had six years' experience of the working of the Ashbourne Act; and in those six years under £4,000,000 have been absorbed by tenancies of over £30 valuation. If it has taken six years for these tenants to absorb less than £4,000,000, I suppose it may be assumed that it would take not less than six years to absorb the sum of over £5,000,000, which would be allocated to them under this Bill. Therefore, I think we should reflect that whatever may be the ultimate operation of the measure, it will give a long period for trying the experiment. In the circumstances, I would strongly press on the farmers in all parts of Ireland not to assume that such tremendous injury is to be done to their case, but rather that they will, without doubt, get an immense benefit under the Bill if it is passed in its present shape. I have been told that this clause would militate against the purchase of estates as a whole. That contingency is expressly provided against by the words of the clause. In any county I suppose the average estate would have the average proportion of tenancies of over £30. No doubt there would be some estates on which the average number is exceeded; but if it is exceeded on some particular estate, on some other estates it would not be reached. Even from the point of view of those desiring to sell only whole estates or large fragments of estates, I do not think that argument has the full value that is attached to it. I perfectly admit that up to this time the landlords who have chiefly desired to sell have desired to sell because they wished to be quit of their connection with Irish land. But I do not think it is right to assume that henceforth the desire to sell their whole estates will come from the landords. I believe the pressure will come from the tenant to compel the landlord to sell. It has been argued that the pressure will come from the landlords, but I am of opinion that circumstances point to the probability of the pressure coming from the tenants. That is shown by the deputations that have waited upon me urging me to make the Bill compulsory. Therefore, in a different connection, both landlord and tenant appear to think that the old state of things is coming about. I contend that there is no ground for the objections of the landlords to this clause, and that the tenants, should desire to see it passed into law, because it will enable a greater number of persons to take advantage of the Bill. I shall be glad to hear and reply to any objection which may be made against the clause. I beg to move that it be now read a second time.

Motion made, and Question proposed, "That the Clause be now read a second time."

*(4.0.) VISCOUNT LYMINGTON (Devon, South Molton): I am afraid that I must entirely dissent from the view of my right hon. Friend. If this clause is passed, I think it would have a very serious effect on the Bill. I do not believe that the clause if carried would give any relief to poor and impoverished properties, because I do not believe that any landlord will be anxious, or will ever, unless under great stress of circumstances, consent to the sale of his property piecemeal. I think that my right hon. Friend must have somewhat underrated the effect which this clause would have. The general effect of the Bill is to reduce the rents considerably of those who purchase, and to give a purchasing tenant the opportunity of becoming the owner of the freehold. What will be the effect of the clause? The tenant of a holding of under £30 valuation will be able to get his rent reduced very substantially, while his neighbour on the other side of the hedge, who occupies a holding of over £30 valuation, would hold at a rent fixed for 15 years. The tenant under

£30 can sell his holding, and should any agricultural calamity occur, affecting either an individual or a district, he can go to the Land Commission and have his rent reduced. I speak with some knowledge of Irish affairs, and I maintain that you are creating a very serious grievance indeed. To start with, I think it is a grave question how far Parliament is entitled to employ the credit of the State for the benefit of any particular class. [*Ironical cheers from below the Gangway.*] In reply to that cheer, I say that the sole and only justification is that this is being done in order to achieve a great political object. But I fear that if this new clause is added to the Bill the two great objects of the Bill will be defeated. It will restrict the sales, and thus prevent that abolition of dual ownership which is desired, and instead of securing general contentment in Ireland it will create another and very serious grievance. I think that the owners of anything like decent estates in Ireland have a distinct grievance against this clause. It entirely alters the character of the Bill. I do not believe that such a clause was contemplated by the Government when the Bill was originally introduced, and it certainly was never contemplated by the supporters of the Government when the Bill was introduced. What is the position of the owners? The right hon. Gentleman has said that he himself is inclined to believe that the occupiers of land will themselves bring pressure to bear on the owners of property to induce them to sell. What will be the position of the owners? Many may be anxious to sell, but they cannot sell, with all the difficulties and expenses connected with the sale of land, parcels of their property intermixed with what they are prevented from selling. However willing a landlord may be to sell, how can he come to terms with his tenants if he cannot effect a sale of the whole of his estate, and is only to be allowed to sell certain of the holdings on his estate? Not knowing what the Land Commission would do, he could not undertake to sell and find himself left with certain holdings on his hands and all the expense of estate management. It would be perfectly impossible for him to accept the position in which he would find himself placed. Then the holdings which were not sold would become the centres of increased dissatisfaction. What would be the position taken up by the larger tenants? As is well known, it is the larger tenants who are the leaders of rural opinion, and they would not unnaturally be dissatisfied at having to continue paying "fair rents," whereas their neighbours, paying instalments smaller than their former rent, were becoming purchasers of their holdings, and becoming possessed of their own freeholds. [*Cries of* "No!"] The Chief Secretary has referred to the working of the Ashbourne Act, and he wishes to prevent this Bill from being similarly worked. The Ashbourne Acts were an experiment, and they have been most successful, and have not resulted in the loss of a single shilling to the State. It has been the tenants under £30 valuation who have come into conflict with men like Lord Clanricarde and others—tenants who have had very small holdings indeed. Is the purchase of their holdings to afford them much advantage, for where a man's rent is only a very few pounds, to substitute an instalment of less money for a rent amounts to very little, and are they a class of men who are going to form a safe investment for the money of the British ratepayer? On every ground, therefore, from the point of view of the landlord, the tenant, the peace and contentment of Ireland, and the credit of the State, this clause appears to be a most unfortunate one, and if I go into the Lobby alone, I shall vote against it.

*(4.15.) MR. RATHBONE (Carnarvonshire, Arfon): It seems to me that the noble Lord who has just spoken has ignored the facts of the case. He argues as if the larger tenants are to be excluded from the operation of the clause. It is not proposed to exclude the larger tenants. They have already had two-thirds under the Ashbourne Acts, and they will have their fair share of the available money. But if all the tenants of Ireland are to be allowed to purchase without any limitation, then £150,000,000 will be necessary, and to this the British taxpayer would not assent. I was surprised to hear the hon. Member for Longford (Mr. T. M. Healy) cheer the observations of the noble

Lord. One would have thought that he would have been anxious that the poorer tenants should get their fair share. But, no doubt, it is convenient to keep on good terms with the large tenants, who are the noisiest parts of the community. But we have to consider what is just, and what it is the Bill proposes to do. The noble Lord referred to the successful working of the Ashbourne Acts, but it is to be remarked that only 1 per 1,000 of the tenants under £30 have been sold up, while of the larger tenants 7 per cent. have been defaulters. The main outcry against this clause, as has been shown by the right hon. Gentleman opposite, has arisen from those outside this House who do not understand it; but I must confess that I am surprised that hon. Members inside the House do not understand it better than they seem to do. There must be some proportion in the disbursement of this money, and the tenants over £30 will get £16,600,000 out of the £40,000,000. Without the limitation proposed by this clause there would be great danger of setting up a new class of small landlords whose action might be most harmful. I venture to say that without the limitation proposed the Bill would be one of the most dangerous measures ever passed, whereas, with the limitation, I hope it may be really a conservative measure. I sincerely hope that the Government will remain firm.

(4.18.) MR. MACARTNEY (Antrim, S.): I have not much to add to what I have said before; but I must protest against the suggestion that any class of tenants have been wilfully excluded from the benefits of the Ashbourne Acts. The Land Commissioners appointed to administer the Acts have dealt with applications from all classes of tenants, and there is no inclination anywhere to prevent the smaller tenants from becoming purchasers. It is a question of the sufficiency of the security. It is absurd to say that this House or the Commissioners have in any way controlled the application of the funds available under the Ashbourne Acts. But, as a rule, the men who are anxious to buy are the better-off tenants, and why should they be prevented from buying? What will be the result of the clause of the Chief Secretary? The result will be that a certain number of the best class of tenants, of the men best fitted to become peasant proprietors, will be excluded from the benefits of the Bill. I am bound to tell the Chief Secretary that if the limitation contained in this clause had been in the Bill when it was introduced, hardly any Irish Member sitting on this side of the House would have voted for the Second Reading. It alters wholly the principle of the Bill. We were induced to vote for it on the ground that it would confer a great national benefit, and now we find that our chief constituents and supporters are to be excluded from sharing the benefit. I have investigated the statistics which have been laid before the House by the Chief Secretary, and I find that in Antrim only one in every eight of the tenants of holdings over £30 valuation would be able to become a purchaser, if this clause is passed; in Armagh the tenants of holdings over £30 valuation who would be able to buy would be reduced to one in 12, and in Tyrone to one in 13. I do not believe that such a state of things can be regarded as a settlement, or that it would be anything else than a fresh source of irritation in the relations between landlord and tenant. I regret extremely that my right hon. Friend should have thought it necessary, in concert, I presume, with some small section of English public opinion represented in this House, to introduce this clause. I do not believe that there is much difference of opinion amongst Members from Ireland on the question, for they must all recognise that there is hardly a barony in Ireland where it would be possible to sell a property successfully if this new clause is inserted in the Bill. For these reasons I would venture to appeal to my hon. Friends sitting on these Benches to vote against the clause.

(4.25.) MR. SINCLAIR (Falkirk, &c.): To my mind, the object of the Bill is to create a system of peasant proprietary, with the view of creating a change in the system of land tenure in Ireland. The dual ownership which now exists in Ireland has been condemned, and those of us who have supported the Bill have done so because we believed that

dual ownership was to be done away with. It is true that under the Ashbourne Acts a good deal of money has been supplied to the class of larger tenants, but it is easy to explain why. These larger tenants are the leaders of public opinion in their respective districts They have been the first to try the experiment of purchase, and they have induced the smaller holders to join with them in purchase schemes. I think that all classes that have enjoyed the advantage of the right of purchase in the past should have the same advantage in the future. If the Government have determined that some limitation in connection with the exercise of the right is necessary, why not agree to the plan which I have ventured to embody in an Amendment? My proposal, speaking generally, comes to this—that tenants in whose case the valuation is over £30 should be asked to pay a larger amount annually in respect of the purchase of their holdings, but I should very much like to see the clause thrown out, and, with it, the Amendment. Assume a case in which the whole of the sales of over £30 have already been concluded in a county and where you have two counties alongside one another, one of £30 and the other of £40. The one of £30, at 20 years' purchase, would cost £600, and that of £40 at 15 years' purchase would also come to £600. Why should the one be excluded and not the other? It seems to me that in the proposal of the right hon. Gentleman we shall unfortunately get rid of the advantage obtained under the present Act of the leadership of local opinion in favour of land purchase, and that we might very easily obtain it. The only objection I have heard raised against my proposal is that it would interfere with the system of insurance provided under Clause 5, but I think I have provided against that, and I see no other objection to it. I trust the discussion that is taking place will induce the right hon. Gentleman to withdraw his clause.

(4.33.) MR. PICTON (Leicester): I hope the right hon. Gentleman will do nothing of the kind. For once I have the pleasure of supporting the right hon. Gentleman. As there are marked differences in the various classes in Ireland, the right hon. Gentleman proposes that each different class shall have its fair share, and no more than its fair share, but the hon. Member for Northampton (Mr. Labouchere) wants the larger tenants to have more than their fair share. I am not in the least degree surprised that the Representatives of Irish landlords should be suspicious of this new clause, but those who have the interests of all classes of the tenants at heart ought, I think, very warmly to support it. The right hon. Gentleman has shown that tenants holding farms at, or under £30, form actually 92 per cent. of the whole of the farmers in Ireland, although, no doubt, if the values are taken into consideration, the proportion would be very different. The Member for South Antrim (Mr. Macartney) has warned us that it is a very difficult thing for us, sitting in this House, to make regulations for the sale of land in Ireland. We have always said so, but as the House has insisted on doing it we are justified in acting according to the light of natural reason and supporting that which is apparently fairest to all parties concerned.

(4.36.) MR. T. M. HEALY (Longford, N.): It is a remarkable thing to find an Amendment of this character proposed now for the first time. This question of land purchase has, I presume, occupied the attention of the Government for a very considerable period. Last year they brought in a Bill; and I assume they must have thoroughly considered the provisions of that measure. They did not, however, dream for one moment of attempting anything of the kind now proposed in that Bill. It cannot be said that they were not amply warned that some proposal was necesssry to prevent the adoption of the abominable system of "first come first served," in reference to land purchase in Ireland, leading to mischief. We pointed out that the larger proportion of the money was going to the larger tenants. The Government, however, rejected every Amendment we proposed on the subject a few years ago. This year they had all the advantage of the criticism of last year to assist them,

but the right hon. Gentleman the Chief Secretary announced, on the Second Reading of this Bill, that he did not propose to adopt any of the suggestions of the hon. Member for Cork (Mr. Parnell) except that with regard to grazing tenants.

MR. PARNELL (Cork): I made no definite proposal with regard to grazing tenants. I suggested that the right hon. Gentleman should inquire as to the nature and character of holdings in Ireland during the Recess, and predicted that if he did so he would find it possible very materially to limit the area of land purchase and the amount of money to be expended in the solution of the question.

MR. T. M. HEALY: I did not, of course, bring in the volumes of *Hansard* which I had here when the question of the grazing tenants was under consideration; and for the purposes of this Debate I accept *en passant* the correction of the hon. Gentleman. I say that having accepted, according to the Irish Secretary himself, the suggestion of the hon. Member for Cork with regard to grazing tenants, he deliberately, in a Second Reading speech, said that he rejected the idea of a separate valuation.

MR. A. J. BALFOUR: I did not do so.

MR. T. M. HEALY: The volume of *Hansard* containing the discussion is open to hon. Members.

MR. A. J. BALFOUR: I must correct the hon. Member before he goes further. The proposal of the hon. Member for Cork with regard to valuation was that nobody should be allowed to buy whose holding was over £50 valuation. That resembled the principle of the suggestion made by the hon. Member for Carnarvon; and I said on the Second Reading what I have said to the hon. Member for Carnarvon in the Committee stage, that I could not admit any Amendment which excluded these tenants from purchasing.

MR. T. M. HEALY: I do not see any conflict between what I have stated and what the right hon. Gentleman now declares. If he will allow me to say so I would point out that it appears that his clause is now defended on the ground that it is going to be inoperative. Now, either the clause is going to be operative or it is not. I will assume that it is going to be operative—first suggesting that if it is going to be inoperative it ought to be dropped. If it is going to be operative is it fair that it should be introduced at this stage—at the latter end of the month of May? This Bill was introduced in November. We are now in the latter end of May. Six months have elapsed since the introduction of the Bill—12 months since the original proposal of the Government was made—and it is only now that this clause is sprung upon the House. I think this is a startling innovation in Parliamentary procedure. But we are told that, so far as the £30,000,000 are concerned, there is ample money for tenants over £30 for five years; we are told further that, so strong is the opposition of the British Radical, that the Government cannot give more than £30,000,000. We are told that this Bill is to pass for all time. It is treated by the hon. Member for Cork in his public utterances as the last sigh, so to speak, of the British Parliament on the question of land purchase in Ireland, and he says that so strong is the objection of English Radicals to land purchase that we shall never succeed in getting more than £30,000,000 out of the British Parliament. That is another way of saying, in my judgment, that with regard to over £100,000,000 worth of Irish land the larger tenants can only get £5,000,000 from the British Exchequer. I will never accept that position—that this Bill is the last hope of the tenants over £30 valuation——

MR. PARNELL: From this House.

MR. T. M. HEALY: I deny it. Assuming that the General Election leaves this House constituted as it now is with a Tory majority, I maintain it would be fatal for Irish Nationalist Members to accept the principle that a final measure of land purchase has been passed in 1891, and that until a Liberal Government gives Home Rule to Ireland there is to be no chance for the tenants over £30 valuation. For my part, I decline to accept that position of the hon. Member for Cork. Now, I would treat the

matter from the point of view of the joint interest of the landlord and tenant. The hon. Member for Carnarvon seemed surprised that I cheered the noble Lord, but he did not seem surprised that the Chief Secretary was considerably cheered by the hon. Member for the City of Cork. I am no more ashamed at having cheered the noble Lord than the Chief Secretary is ashamed at having received the cheers of the hon. Member for Cork. I know the estate of the noble Lord in Co. Wexford—an estate on which the Ulster custom has been initiated in that part of Ireland—and I am prepared to endorse every word spoken by the noble Lord as to the pernicious character of the Amendment of the Chief Secretary. It is by the enemies of the measure that the present clause is supported—by such Members as my hon. Friend the Member for Leicester, who represents the English "wolf" department of this House. That hon. Member takes up a view highly natural to him, but to my mind, treating the matter from a statistical point of view, it seems a strong thing to say that 8 per cent. of the Irish tenants shall not benefit under the Bill—for the tenants under £30 valuation will number 92 per cent. of the whole. Can the Chief Secretary give from any official source—Land Commissioners, solicitors, or men engaged in valuation—the name of any practical man who has taken part in the working of the Ashbourne Act who has recommended this as a safe and valuable clause? I challenge the Chief Secretary on that point. Does Mr. Lynch, does Mr. John George Macarthy, does Mr. Wrench, does Mr. Justice Munro accept this clause? Has the Chief Secretary consulted the gentlemen who are *in esse* or *in posse* on this question. It is said that the proper course would be to go for the interests of the 92 per cent. rather than for those of the 8 per cent. of tenants. The Chief Secretary used, or attempted to use, the most seductive arguments to get the landlords to abate their hostility to the clause. He said—"Pass this clause and you split the Irish tenants into two classes, one who cannot buy and another who, instead of waiting as they have hitherto done for the landlords to ask them to purchase, will have to go to the landlord and beg of him as a favour to permit them to purchase."

MR. A. J. BALFOUR: I did not use any such words.

MR. T. M. HEALY: I am merely giving the effect of the right hon. Gentleman's statement—taking the prism and dividing the argument into what I conceive to be its separate strands. The right hon. Gentleman, in my opinion, distinctly held out to the landlords the suggestion that hitherto they had been the offerers, going to their tenants and saying, "We want to be quit of our estates; will you buy them?" And this position he now suggests is to be reversed. I oppose the clause because I believe it will shut out the larger tenants, and I object to the small tenants being separated from their more substantial fellows who have hitherto been their leaders and friends. I say it is in the interest of the small tenants that I object to this clause, for I decline to deprive them of the men who have hitherto guided them in these matters. Take the case of the Drapers' Estate. I was myself concerned in fixing the purchasing price of the tenants of the Drapers' Company. We commenced by striking out the arrears, and reduced the purchase money from £80,000 to £69,000, and after that the Land Commissioners took good care to see that there was ample security for the money paid, because they were satisfied with the £25,000 which was taken off the selling price. As a rule, the Land Commission was satisfied; but in the case of some of the smaller estates, they decided that more than one-fifth should remain out, and it was a very proper course to take. The tenants were delighted at getting their arrears wiped out, and to get the land at the figure we fixed. Yet so careful was the Land Commission that in a case of this kind they took extra security. What is the argument I deduce from this? That the smaller tenants who buy under this Bill will only be allowed to buy if they give a bigger price for their holdings. The Land Commission will say, "We cannot out of consideration for the British taxpayer allow the sale at this figure," and thereby the entire system of land purchase will be blocked and clogged altogether. For

these reasons, and while recognising the spirit in which the Government have introduced the clause, and while I am as anxious as anybody can be to see this measure stretched and made to go as far as possible, I say the Government are proceeding entirely upon an erroneous basis, and without having regard to either the interests of landlords or tenants. It is entirely too late to introduce the clause at this stage; it should first be referred to a Select Committee; and on these grounds I offer the strongest opposition.

*(5.2.) MR. SHAW LEFEVRE (Bradford, Central): Listening to the speech of the hon. Member, the impression made upon my mind amounts to this: that the hon. Member holds that we must be prepared to advance a sum of £180,000,000 for the purchase of the whole of the estates in Ireland, and that he will not be satisfied until that is completed. Now, the principle of the Bill is that £30,000,000 is the extreme limit for which local security can be found. The question therefore is—and it is a difficult one—how best may this amount be distributed, so as to produce the greatest result. Everybody will admit that by converting a large number of small occupiers into owners you get more result for your money than by converting a smaller number of larger holders. Anybody who looks at the result of the working of the Ashbourne Acts will admit also that it is not satisfactory. The Chief Secretary has reminded us, two-thirds of the money advanced has gone to the assistance of the larger tenants above £30, and only a third of the whole amount has been used to convert the small tenants under £30 into owners. Looking more closely into this, we find the result still more unsatisfactory; for if you take the limit of £50, you find that half the money has gone to tenants above that figure; and still more so is it when you take £100 a year, for then you find that no fewer than 460 tenants above £100 rent have been converted into owners at a cost of £2,000,000, or about a third of the whole of the advances under the Ashbourne Acts. Of these 460, no fewer than 114 were tenancies in respect of sums advanced of £3,000 to £5,000, and these are not peasant proprietors in any sense—they are large, substantial farmers; and I cannot reconcile it with recognised public policy that such a class should be converted into owners by advances from the State of this magnitude. Let me give the Committee illustrations of what has happened under the existing Acts. A substantial farmer in Ulster paid four years ago £160 a year rent. He went into the Land Court and obtained a reduction of his rent to £120, a reduction of 30 per cent. He then went to the landlord and got the landlord to agree to a sale at 18 years' purchase, and the State advanced £2,100, the interest and Sinking Fund amounting to £86 a year. If we compare this with the judicial rent of £120, and remember that a quarter represents the Sinking Fund, and is, therefore, an annual investment adding to the interest of the owner, we find the true comparison to be this: the fortunate man will pay £64 a year, as compared with a payment of £160, four years ago. Well, I do not think a transaction of that kind, and such a large advance as £2,100, is justified so long as English farmers do not enjoy even the advantage of judicial rents. Then take another case. A gentleman held a farm subject to a ground rent of £150 a year, and held it under a perpetual lease. He was allowed to make terms with his landlord, and to pay off the ground landlord by an advance from the State of £3,000, and so, instead of a perpetual rent of £150, he will pay a temporary rent of £120 a year. Again, I do not think that a transaction of this kind, involving this very large advance from the State for the purpose of converting substantial farmers into owners of their holdings upon such terms as these, can be justified on the grounds of public policy. How can we justify these transactions when we refuse even judicial rents to English farmers? Our object should be to confine the operation of land purchase as far as possible to the class who may be termed peasant proprietors when the transaction is completed. The hon. Member for Longford contemplates a complete reform of the whole land tenure of Ireland, but I do not know that the Chief Secretary ever intended that. I always understood the object of the Bill to be to create a peasant proprietary in Ireland, and if I were to give

a rough definition of a peasant proprietor I should say it is a man who cultivates the land he holds with his own hands, or with the assistance of his family, and I think the limit of £30 about describes a man of that class. Above that limit you get to a class totally different, men who employ labour and belong to a totally different class of society. Up to £30 you find the men who may fairly be turned into peasant proprietors, and by its operation among these you will fulfil the main principle of the Bill. The Chief Secretary refuses, as I understand, laying down any definite and distinct limit. I had myself proposed a limit of £50, preferable, I think, to that proposed by the hon. Member for Carnarvon; but the intention of the Chief Secretary is, as I understand it, while refusing to lay down any strict limit, to secure that the distribution of these £30,000,000 shall be somewhat more equal among all tenants than has been the case under the Ashbourne Acts. He finds that the Ashbourne Acts have been unsatisfactory, inasmuch as far too large a proportion of the £10,000,000 has been devoted to tenants above £30, and he seeks to secure that of these £30,000,000 a larger proportion shall go to the class below £30, and that is a principle to which I entirely adhere. I should be prepared to go further; but, so far as the principle goes, it is worthy of the assent of the House, and for my part, I shall support it. I have, however, a fear that the qualifications inserted may make the clause nugatory to some extent; but, at all events, it contains a principle which may prove of great value in the future—that in the advance of the £30,000,000 the smaller tenants shall derive full benefit from the operation of the Act. It must be remembered that only those £30,000,000 will be available, and it is important to consider how the amount can be best dealt with to effect the great object in view. The more the amount can be devoted to turning the smaller tenants into owners the better.

*(5.16.) MR. LEA (Londonderry, S.): I much regret to find the right hon. Gentleman (Mr. Shaw Lefevre) taking the line he is. I have always regarded the right hon. Gentleman as one of those who have spoken strongly against the way in which landlords have been able to raise rents on tenants' improvements. Yet now, when a Bill is brought forward which in the future will make that impossible, the right hon. Gentleman is going to exclude from the benefits of this measure a certain proportion of Irish tenants. Perhaps the right hon. Gentleman will say that he is not going to exclude them altogether. If, however, the clause is to be practically useless, what is the good of wasting the whole of this evening in discussing it? If this clause is to be be of any use it will exclude a certain number, and I believe a large number, of the larger tenants from partaking of the benefit of the Bill. The right hon. Gentleman may say that it will be modified by the Lord Lieutenant. But if it is liable to modification by one Lord Lieutenant in one direction, it may be modified by another Lord Lieutenant in another direction, and that is an exceedingly unsatisfactory manner for an Act of this description to work. Is it to be worked by the Lord Lieutenant, or is it to work by itself? It seems to me that if this clause is to be of any practical use it will exclude a large number of tenants, who will become centres of dissatisfaction in the future. That peace which we had hoped would be brought about by this measure will be impossible, and there will be fresh agitation and fresh trouble. I ask the Chief Secretary whether it is really worth while to proceed with a clause which will render his Bill nugatory and nearly impossible in operation? The right hon. Gentleman the Member for Bradford has given instances of the great benefits men have derived from the Ashbourne Act; yes, and if these cases have occurred, are men to remain contented if in the future they are to be prevented from availing themselves of this Bill? It is an argument against a clause of this kind that it will prevent these reductions of rent in the future. The hon. Member for Carnarvon spoke of the limitation under the Ashbourne Act, and said that two of the larger tenants to every one of the small tenants were benefited——

*MR. RATHBONE: I said, if we went on as we are doing now, the rental of

one out of every two of the larger tenants would be bought, but one from every seven or ten of the smaller tenants.

*MR. LEA: The hon. Member's figures seemed to show that three small tenants to every large one were able to buy. Then there are the congested districts separated altogether from the rest of the Bill, and including a great mass of small tenants, who may buy with the security of the Irish Church funds. We, in Ulster, are greatly afraid that the landlords will not agree to sell. There is a belief in some minds that there will be a rush into the Land Court the moment this Bill is passed, and the money will soon be exhausted; but in Ulster we believe that a landlord who is getting his 4 or 5 per cent. by rents will not be willing to go into the Court to sell, and that the last men able to avail themselves of the Bill will be the Ulster tenants. The clause will increase this disinclination of Ulster landlords to sell, and, speaking on behalf of Ulster tenants, I shall do my best to oppose the Second Reading of the clause.

(5.22.) MR. PARNELL: It may be a rather startling thing that the right hon. Gentleman should introduce the clause at this period of the Bill, but I think it is a still more startling thing that prior to the speech of the hon. Member for Longford not a single opponent of the Bill was to be found except amongst the Irish landlords. The hon. Member for Longford, in adding himself on as an opponent of the Bill, practically has gone into the camp of the Irish landlords—into the camp which up to this time has been occupied solely by Irish landlords and their representatives. I do not mean to say that the hon. Member for Longford advocates Irish landlordism, but the hon. Member has found himself on the present occasion in their camp; and if that shows anything, it shows that the hon. Member on this side of the House and the Irish landlords on the other side are mistaken in the opposition they make against this clause and in the arguments which they have used against it. I think the right hon. Gentleman the Chief Secretary to the Lord Lieutenant is to be congratulated on having brought forward this clause, even though he has done so at a late period of the Bill, because I am convinced that if it is fairly worked out by the Land Commission and the Lord Lieutenant it will constitute a more important reform for Ireland than has ever yet proceeded from the House of Commons. It has been evident to me for many years that anything like a wholesale scheme of land purchase is utterly out of the question in face of the temper which was exhibited by the English and Scotch constituencies during the General Election of 1886, and in face of the temper which is exhibited, as has since been shown, by the English Liberal Party on this subject as a consequence of that General Election. It has been evident to me that if we are to do any good to the great masses of the Irish tenant farmers by land purchase, some means must be found for limiting the area to the amount of the sum to be expended in carrying it out. This clause has been treated as if it were a clause of exclusion. It is not a clause of exclusion. It is a clause of inclusion. It is a clause which will admit, on the one hand, 120,000, 130,000, and probably 150,000 tenants who would, under the working of the Ashbourne Acts and of the Bill as it now stands, be utterly shut out from land purchase. And what does it exclude? The figures show that it would not exclude 2 per cent. in number of the Irish tenants. It is absurd, therefore, to say that the clause would shut out important sections of the Irish tenantry. Taking them by their number, this clause if passed, I say again, will not exclude 2 per cent. of the tenants, while, on the other hand, it will admit 150,000. Let not hon. Members shut their eyes to such important figures as these. You cannot look on this Bill as a general measure of land purchase, to enable all the Irish tenants to buy. Taking the clause as added to the Bill, it will not reduce very largely the number of tenants over £30 who can purchase. I can understand, to some extent, the Irish landlords being desirous to sell their estates *in globo*; but this is a question not for the Irish landlords to decide, but for Parliament to decide in the interests of the Imperial taxpayer firstly,

and, secondly, in the interests of the Irish tenant farmers. If the Imperial Parliament says to the Irish landlords, "We desire that the money should be distributed equally among the different classes of Irish tenants, we desire that the larger tenants over £30 should not absorb two-thirds or three-fourths of the money; but that it should be fairly shared among the smaller tenants," then I do not see why the landlords should be entitled to pick and choose. Up to the present they have been entitled to pick and choose, and to do so to such an extent that, as we have seen, purchasers have been very greatly composed of the larger class of tenant farmers. This will naturally be so, as long as the Bill is left in its present position. The Land Commission, in the first place, were bound to look to the element of security, which was practically the only element put before them under the Ashbourne Acts, and in looking into that element they naturally selected the larger holdings for purchase, because they constituted the best security; and the larger tenants consequently, under the working of these Acts, have been able, in company with the landlords, to go to the Land Commission and get them to give them the preference in the purchases that had taken place. I think that that should be stopped. I think it right that the tenants under £30 should have the same chance of buying as the larger tenants in the future. The money should be distributed as the Chief Secretary proposes in order to carry out the real intentions of Parliament, when, in 1881, a sum of money was allocated for the tentative establishment of a peasant proprietary in Ireland. What was the reason which induced Parliament to make this experiment, and to continue it further in the Ashbourne Acts and the present Bill? Simply because it was brought home to Parliament that social peace and order in Ireland could not be secured or maintained without some very considerable scheme of land purchase, and without considerable reductions in the amounts which the tenants had to pay. When an offer of £30,000,000 is made, accompanied by the assurance that neither the Tory Party nor the Liberal Party will make any further advance, it is obviously the duty of the Irish Representatives to make the money reach as far as possible, and to make the largest possible number of tenants the owners of their holdings, by providing that the more numerous class of small tenants shall have a proportionate share of the grant. We have often heard that the principle of the greatest good of the greatest number is a sound Radical principle. It is that principle which underlies the proposal of the Chief Secretary. The hon. Member for Longford asserts that the landlords will not sell their estates; but I, on the contrary, believe that the landlords will sell the smaller tenants out under the operations of this Act if this clause be added, and be glad to be rid of them, because there is more difficulty in collecting the rent than with the larger tenants. It is true that in many cases they will prefer to sell their estates as a whole; but if Parliament and the Irish Government are firm, and deal with this question from the point of view of general policy rather than from the point of view of the interests of any class, whether landlords or tenants, I think we shall obtain satisfactory results by establishing in Ireland a class of real occupying owners or peasant proprietors, for whose good Parliament undoubtedly intended these successive land purchase enactments—a result which will not be disappointing to the framers of the measure. I trust, therefore, that the Chief Secretary, having taken so much trouble to collect information on the question, and having had the courage to give up one proposal he has made with a view of doing something in this direction, but which he found did not go far enough, and might be attended by evil results, and having also made this further proposal which cannot have been the result of the mere consideration of the last fortnight, but is probably the result of much longer consideration and information gained during months past, will have the further courage to stand by his guns and continue that course of endeavouring to confer benefit on the smaller class of tenants constituting the poorer portion of the Irish population which he commenced by his Light Railways Acts and which will be worthily succeeded by

this clause if he will only stick to it, and ask Parliament to embody it in a Statute.

(5.38.) MR. SEXTON (Belfast, W.): I cannot regard the speech of the hon. Member who has just sat down as consistent with one which he recently made in Ireland, certainly one of the most important speeches he has recently delivered, in which he endeavoured to reconcile the interests of the smaller tenants with those of the larger holders. He then suggested that, while the smaller tenants might be allowed to purchase, the interests of the larger holders might be satisfied by giving each of them a bonus of sums over £600 sufficient to enable him to let his holding and to secure the means of fining down the rent. I was surprised when I read that suggestion, because the hon. Member must have been aware that the financial limit of the Bill is £30,000,000; and if he refers to the Return recently issued by the Chief Secretary, he will see that the issue of such bonuses, according to these figures, would exactly reach the £30,000,000 limit, while not a solitary penny would be left for the 472,000 smaller holdings in Ireland.

MR. PARNELL: That assumes that the whole of the tenants would purchase.

MR. SEXTON: But the proposal has nothing to do with purchase; it was that the larger tenants should have the bonus I have named.

MR. PARNELL: The proposal the hon. Member refers to was one that would have equally divided the available amount between the larger and the smaller tenants.

MR. SEXTON: The hon. Member for Cork has charged my hon. Friend the Member for Longford with having gone into the camp of the Irish landlords because he has said, as I also say, that if any policy of purchase is to be carried out in Ireland it must not be by fragments but by estates. We say this for many reasons: the landlords in Ireland, especially those who want to sell and the tenants who want to buy, have a common interest.

Mr. Parnell

MR. PARNELL: Allow me to explain the figures I have given. There is a footnote to the Return, which says—

"The number of holdings is taken from the agricultural statistics for 1889, but includes many thousands of holdings which could not come under the Act when in operation—*e.g.*, those not already dealt with under the Ashbourne and former Purchase Acts, lands occupied as villa residences, lands in the occupation of landlords, demesnes, home-farms," &c.

Taking into consideration these various holdings, and the double or non-residential holdings, I have made a reduction of 50 per cent. from the 80,000 large holdings of over £30 valuation, thus leaving 40,000 to be dealt with under the Act.

MR. SEXTON: I refuse to accept that kind of reasoning, and I must complain of the exceedingly imperfect and unsatisfactory character of the Return. I think that it would have been easy to furnish an estimate of the holders excluded from it. Knowing something of the circumstances of the case, I presume that, under the categories named by the Chief Secretary, perhaps 20,000 holders might be deducted, on the whole, from the 80,000. I cannot admit that 40,000 have to be deducted.

MR. PARNELL: Taking into account non-residential holders and the category mentioned in the footnote, I calculate that there would be 40,000.

MR. SEXTON: On the other hand, I calculate that the number would be 60,000, and only 4,000 would be emancipated. According to my calculation, then, that would leave 56,000 holders in the one case and 36,000 in the other case unemancipated if the hon. Member for Cork's contention is right; but in either case a majority is left unemancipated. The Government propose to spend £30,000,000, together with the Sinking Fund. Does the Chief Secretary imagine that when this sum has been spent the Irish land question will be done with? The money may be spent wholly on the large holders or on the small holders, or partly on the one and partly on the other; but after the £30,000,000 have been spent, the great majority of the Irish tenants will still be unemancipated. Indeed, the favour is to be

extended to the minority, and not to the majority, who are to be left unassisted. The Government must consider how they are to deal with the remainder, whether in this Parliament or in the Parliament of Ireland, whether by purchase or by lowering the rents. I, for one, decline to regard the question as settled after this expenditure of £30,000,000. Either all the tenants must be made peasant proprietors or the rents of all must be reduced. The result of the Ashbourne Acts was, in my judgment, unsatisfactory. The Government have not obtained with the amount of money spent by the State a return commensurate with the hopes which the State was entitled to entertain from the point of view of policy; and, therefore, I should be glad to consider if some system by which a proper distribution of the money would be assured, thereby securing for the money the creation of the largest number of peasant proprietors. I suggested to the Chief Secretary that he should take the Sinking Fund and the repayments under the Ashbourne Acts, amounting in course of time to £700,000 a year, and, by using that amount as a fund at the discretion of the Lord Lieutenant, to render the system fluid, he would be able to assist the sale of estates and ensure the proper working of the scheme whenever it was threatened to be blocked. That proposal was rejected. I made another proposal which excluded no class of holders, and secured in every county the largest number of peasant proprietors which the money at the disposal of the Government would enable it to create, having regard to the circumstances of the county. My suggestion took the form of proposals for the sale of estates in preference to the sale of holdings, thus encouraging combined action among tenants, and preventing individual tenants of the largest class from coming in and appropriating the bulk of the money without combining with their fellows. I maintain that the limit under the Ashbourne Acts ought to be reduced, say, from £3,000 to £2,000. The clause appears to be as carelessly drawn as the Return is imperfect. In the first paragraph rateable value is spoken of; but in the second paragraph the test becomes rent. What does this mean? Does it mean that the proportion is always to be kept up, and that at no particular time are you to advance a larger sum than is therein indicated? If you mean that, your scheme will never work. Do you mean that the larger tenants may buy up their share at once provided they do not exceed their proportion? If that is your system then it can never work satisfactorily. What proportion of larger tenants will buy? In Connaught there are 120,000 farmers, of whom 7,000 are large. Out of the 7,000 only 219 could buy under the right hon. Gentleman's scheme. In the County of Leitrim there are 14,000 farmers, and under the right hon. Gentleman's scheme, at the average price, only 11 farmers could buy. In that county five large farmers might exhaust the proportion available for the large farmer class. What would be result? The limit of the class would be reached and your whole system of purchase would be blocked, unless the Land Commission should make distinctions. Does this mean that the Commission shall make distinction in favour of one tenant or any number? If only in case of a few, it will be useless. If the exception is general, then it means that we make a rule that is at once to be broken. What, I ask, is the use of laying down a rule which is only to be allowed to operate so long as it has no effect, and, as soon as it has any appreciable effect, is to be broken? I could develop my argument by reference to the possible result in the several counties in Ireland, and particularly in the Province of Ulster, and it must be manifest to anyone that such a rule as this cannot be adhered to. I join the hon. Member for Longford in recognising the spirit in which the clause is brought forward by the right hon. Gentleman and also the difficulties of his position; but I must say that all the circumstances and probabilities point, not to the distribution of the money according to the proportion of the holdings, but to the entire block and stagnation of the system. Either the proportion of the large and small holdings must be maintained, and then the small holdings will carry off nearly all the money from the large holdings, or else the large holdings will be allowed to exhaust their share;

and, if that is so, estates cannot be sold, because they will contain a portion of large holders, and there will be no money for them. The limit will be reached not in six years, but probably in one. The men of £300 a year will rush in and buy, and, the limit of the large holdings in every county in Ireland being speedily exhausted, the purchase system will be at an end. Of course, that is a position not to be endured, but what is the use of enacting a clause which when it begins to operate you will have to repeal? I altogether distrust the system of giving such a large discretion to an Administrative Body. I do not know who they may be, they may be partisans of the landlords, and I can conceive such a conjuncture of circumstances as may induce the breaking up of the rule altogether in favour of the sale of certain estates. I decline to give any sanction to the principle that the responsibility of this House and of the Legislature should be shuffled off to the Lord Lieutenant, and the whole financial policy of the country in this matter be allowed to become the sport of Party. I have spoken strongly, but I hope not unfairly, and I do not oppose in any factious spirit this clause, the object of which I recognise. I believe the right hon. Gentleman proposes the clause with the best intentions, but circumstances are too strong for him, and I suggest to him that he should withdraw the clause, and reduce the maximum under the Ashbourne Acts. If the right hon. Gentleman does that, he will secure the most speedy working of the scheme, and extend its benefits to a much greater number.

(6.11.) MR. A. J. BALFOUR: I do not object to the tone of the hon. Gentleman's speech; though the hon. Gentleman has expressed himself strongly, as he had a perfect right to do, he has not outstepped the limits of Parliamentary debate, or given me any reason to complain. The hon. Gentleman has, however, fallen into a good many inconsistencies—inconsistencies not only in the speech itself, but as between that speech and others previously delivered. What was the ingenious argument of the hon. Gentleman? That in every county it will be possible for large holders—a few large holders—quickly to absorb the money allocated under the scheme, and thereby land purchase will be rendered impossible on every other estate in the county, because on every estate there will be large holders for whom *ex hypothesi* there will be no money available, and so estates as a whole will be prevented from being sold. But the two halves of the hon. Gentleman's argument do not fit together. First he assumes that estates will not be sold wholesale, and then that they will. He first argues that sales will be effected here and there to the larger tenants, and then he argues that landlords will not sell unless they dispose of their estates in entirety. But it appears to me there is an inconsistency here which destroys the value of the ingenious argument of the hon. Gentleman.

MR. SEXTON: Will the right hon. Gentleman allow me to say that the result of the Ashbourne Acts shows that the large holders can buy alone—they can buy without association with the small holders?

MR. A. J. BALFOUR: It is clear, I think, that so far as the landlord is concerned, if he cannot sell his whole estate which *ex hypothesi* is the case, he wil prefer to sell to the small holders, because it is from them that the difficulty and expense of collecting rents arises, and it is owing to them that the cost of management is incurred. The expense is far less in regard to large holdings. What is all this we now hear about selling estates *en bloc*, or *in globo* as the hon. Member for Cork says? This, surely, is an entirely new point of view. All through the Debates on the Ashbourne Act and all through the Debate of last year we were deafened by arguments in support of attacks upon two or three big landlords like the Duke of Abercorn, the Drapers' Company, and others, who, to use a phrase that then became familiar had "run off with the swag," and hon. Gentleman were never weary of saying that the money voted by that House to appease the tenants of Ireland had been "collared" by those two or three large landlords. Now these hon. Gentlemen say the only way to manage land purchase in Ireland is to sell estates *en bloc*.

I have not yet done with the inconsistency of the hon. Gentleman. He has a plan of his own which I understand to be that the Land Commission should, as between the various estates, choose for the privilege of purchase those estates in which the proportion of small holders is in excess of the proportion on the other estates. No doubt difficulty will arise under any scheme of land purchase as to whether an agreement between a landlord and his tenants should be accepted; but under the scheme of the hon. Gentleman it will occur every year, and not merely when it reaches or nearly reached the margin of the limit. Suppose half a dozen landlords in a county send in their agreements to the Land Commission for acceptance, each of them being ignorant of what the other has done. They will discover that the Land Commission has selected one or more of their number to the exclusion of the others, and those others will have no grounds on which they can know whether their arrangements will ever be ratified. What landlord after that would ever risk going before the Land Commission, unless he knew the proportion of small holders on his estate was so great as to insure his success in competition with his neighbours? The result as to large holders would be that landlords never would come to an agreement with them. It appears to me that if my scheme is open to objection—and it is open to objection, as every such scheme must be—the objections to the scheme of the hon. Gentleman are much stronger. The hon. Gentleman proposes to reduce the limit of the Ashbourne Acts from £3,000 to £2,000. Again, that proposal of the hon. Gentleman is inconsistent with his principle, that estates should be sold *en bloc.*

MR. SEXTON: I did limit the principle so far.

MR. A. J. BALFOUR: That would increase the difficulty of selling estates. I am sure the hon. Gentleman will see that, with every desire to give full weight to everything which has fallen from him, it is quite impossible to give effect to the proposition he has made to the House. The hon. Member says he would look with different eyes on this scheme if there was no prospect of any more British money being given for this object. I doubted at the time whether the hon. Member meant that observation for the Committee or for a different audience. The hon. Member must know, and the Committee must know, that there is no more chance of another Irish Land Purchase Bill being brought in, and of more millions of British money being voted for the purchase of Irish land, than there is of the passing of the maddest and most chimerical project that ever emanated from the brain of man.

MR. T. M. HEALY: That is what was said in 1881.

MR. A. J. BALFOUR: How does the argument of the hon. Gentleman match or fit in with the arguments in which hon. Gentlemen delighted in reference to Clause 6? We were told that by the system of insurance payments we took away all inducement to tenants to buy, that the desire to purchase would be extinguished, and the Act would remain a dead letter; that the temptations to purchase were so slight, and the burdens so great that very few tenants would be found to avail themselves of the provisions of the Bill. Now, when a different question comes up different arguments are advanced and a different object has to be gained, and the Committee are told that estates must be purchased *en bloc*, because it will be absolutely impossible to keep side by side a system of purchase and a system of ordinary tenancy.

MR. SEXTON: I said that either others must be allowed to purchase or rents must be reduced and the purchase annuity.

MR. A. J. BALFOUR: That argument loses all its force unless the condition of the purchasing tenant is so desirable that the others will insist on purchasing also. How does this fit in with the arguments heard over and over again on Clause 6, when it was declared that the temptation held out to tenants was altogether insignificant? My task is lightened by referring the hon. Gentle-

man to his own previous utterances. I can assure the Committee no one can feel more acutely than I do the great value of the opinion expressed against the clause, but I must honestly confess that the arguments in support of the opinion which has been expressed do not appear to me to be very strong. I quite accept the fact that the hon. Gentlemen who oppose the clause represent a great body of opinion specially instructed on this particular question, to which the Committee ought to give full weight. But having weighed as well as I can the arguments brought forward against the clause, I do not see sufficient reason to recede from the position I have taken up, which is that the passing of this clause will enable 90,000 tenants to enfranchise themselves who without it would not be able to purchase their holdings. That seems to me the paramount consideration, and the objection to the clause on the whole seems to me inadequate to bear the strain which must be put upon them if this clause were to be rejected. For these reasons I must ask the Committee to support the Government in reading the clause a second time.

(6.25.) MR. M. HEALY (Cork): There is nothing inconsistent between the attitude the Irish Members took up with respect to the 6th clause and the opposition they offer to the clause before the Committee, because each part of the Bill must be considered by itself, as if it were to become operative. We think the operation of Clause 6 may be fatal in its operation against a system of purchase, and we think this clause will throw an impediment in the path of land purchase in Ireland. It is not surprising that we find ourselves joined in our opposition to the clause by hon. Gentlemen on the other side, who look at this question from the landlords' point of view, but I am surprised at the attitude taken by the hon. Member for Leicester (Mr. Picton). I take it that the attitude of the English Radical Party has not been opposition to land purchase in Ireland, but to British credit being pledged for the purpose, and I should have thought that their policy hitherto would have suggested opposition to this clause. Let me point out that in supporting this clause they adopt a course likely to assist in the fulfilments of their own prophecy of loss to the British taxpayer, because an examination of the figures will show that of these £30,000,000 five-sixths will be advanced on the security of less than half of the land of Ireland. The supporters of the Bill argue that because under the Ashbourne Acts a large proportion of moneys available have gone to the large tenants, there is some legislative enactment preventing the small tenants purchasing. But that is not the fact. If under the existing land purchase legislation the smaller tenants have failed to purchase, it is not because there is anything in the existing Land Purchase Acts which either directly or indirectly has brought about that result. The Land Commissioners deal with the applications indifferently, and if the smaller class of tenants have failed to purchase, they have failed to do so because they could not come to an agreement with their landlords. The inference to be drawn from the circumstances is that in the nature of things it is much more likely that the larger tenants will come to an agreement with their landlords than the smaller tenants. That seems to throw still stronger light on the proposals of the right hon. Gentleman, and to make it still more likely that in practice they will not work. The right hon. Gentleman the Member for Bradford (Mr. Shaw Lefevre) has told us that we are demanding that the British taxpayer should pledge his credit to the extent of £180,000,000 sterling in order to bring about land purchase in Ireland. That is not so. We are discussing this Bill as coming from a Tory Government, and we are bound to discuss it on the basis on which that Government bring it forward. They bring forward their Bill on the assumption that no scheme of Home Rule will ever be carried. Under such circumstances are Irish Members to be asked to be content with this advance of £30,000,000 as the only means of settling the land question in Ireland? Either the present Government are going to succeed at the next General Election, or they are not. If they do not succeed in defeating Home Rule it will be quite open for our friends on

this side to say, "As we are not prepared to settle the Irish land question ourselves we hand it over to the Irish Parliament." Under this scheme you enable certain tenants to purchase, and leave others still groaning under the rack rents they have to pay. My hon. Friend the Member for Leicester (Mr. Picton) said that the principle of the clause is to give the largest amount of money to the largest number, and to give each man his fair share. But that is exactly what the clause does not do. It selects arbitrarily a certain number of the large tenants and gives to that number the whole of the money available. Is that giving each man his fair share? It is doing the very contrary. What more does the clause do? Besides handing over to a limited number all the money available, it makes the tenants excluded liable to pay for the defaults under the Bill. Is that a rational proposal? Is that a proposal which can be defended on any logical ground? A more intolerable proposal was never brought before a deliberate assembly. I and my friends are as desirous as anybody to make the Act work for the benefit of the smaller tenants as well as of the larger tenants, but we wish to proceed on some reasonable and rational principle. Again, what the clause does in one line it repeals in the next. In the first place it practically excludes the bulk of the tenants over £30 from the operation of the Bill, and then it proceeds to say that the Land Commission for the purpose of the purchase of estates may break down the barrier so set up, and, in the second place, it enables the Lord Lieutenant to totally repeal the clause, while laying down no principle on which he is to act. If the Government believed the operation of the clause will be beneficial they should enact the clause, and leave it to Parliament to modify it afterwards. It is derogatory to the dignity of this Legislature to propose to divest it of legislative power and to hand that power over to the Lord Lieutenant. Personally, I believe the Lord Lieutenant will be compelled, in a short space of time, to put into operation the power the clause gives him. There is one other matter, as bearing on the working of the clause, I wish to mention. How is the clause to operate in the case of estates which are being sold in the Landed Estates Court? Hitherto it has been possible to induce the Judges of that Court, for the purpose of facilitating sales, to split large estates into lots; but how can that be done in future? The Judges will not know whether the Land Commissioners will be prepared to advance the tenant the necessary amount of money. The clause will go a long way to make sales in the Landed Estates Court practically impossible. Personally, I have a particular reason for opposing the clause. The constituency I represent is rural to the extent of some 20,000 of its population. Ninety per cent. of the 20,000 come over the limit proposed in the Bill. I think the tenants of the Liberties of Cork will be obliged to my colleague in the representation of Cork when they learn that on the first occasion when he has thought it necessary to summon his followers from Ireland on this Bill, he has summoned them for the purpose of practically excluding the people of the Liberties of Cork from the Bill.

MR RATHBONE: I think the Irish landlords need feel very little anxiety about this clause. The proposed limitation is not to be applied to the money available under the Ashbourne Acts. £1,000,000 or £2,000,000 sterling are still available under those Acts, and a year or two must elapse before that money is exhausted. Those Acts and this Act will operate side by side, and therefore an opportunity will be afforded of ascertaining whether further relaxations are necessary.

(6.44.) CAPTAIN BETHELL (York, E.R., Holderness): This is a most interesting clause, especially to me, who practically have no sort of sympathy with the Bill as a whole. [*Opposition cheers*]. Radicals cheer that statement, but I ought to say that I am not in the least afraid of the British taxpayer being called upon to suffer any loss. For that reason I did not vote against the Bill, though I did not vote for it. With regard to this clause, I do not see any reason, in spite of all the arguments showered upon us, why this great benefit should be given, except possibly to some class of

farmers in the congested districts. Naturally, holding this view, I am only too delighted to find my right hon. Friend limit the proposal by declining to give an undue proportion to the well-to-do farmers of Ireland. I have never been able to understand—I do not understand now, although we have had arguments of all sorts—why dual tenure cannot exist. I have asked my Irish Friends, I have asked hon. Gentleman below the Gangway opposite, I have asked Liberals, and I have always been told it is impossible it can exist. I have never been able to get any further than that. I take this opportunity of declaring that with the object of giving this great benefit to the greater part of the tenants of Ireland I have no sympathy whatever. I suppose there is something to be said for the people in the congested districts, and I am delighted my right hon. Friend has so far consented, I believe at the suggestion of certain Gentlemen opposite, to limit the operation of the Act in a great measure to the poorer farmers of Ireland.

(6.46.) MR. M. J. KENNY (Tyrone, Mid): I think that the greatest argument against the proposal of the Chief Secretary is that the great bulk of Irish opinion is against it. I invite any Member representing an Ulster constituency, and who expects to be re-elected, to get up and support the clause of the Chief Secretary. I do not believe there are three Representatives from Ireland with the slightest chance of re-election who will support the clause. That being so, I think the Chief Secretary will, in the process of time, find that, as is the case with all proposals made for the settlement of Irish difficulties in defiance of Irish opinion, these proposals will ultimately break down. I set against the dialectics of the Chief Secretary, skilful as they are, the general opinion of the tenants of Ireland, and I undertake to say that in the long run the general sense of the people will prevail. Since the Chief Secretary gave notice of this clause there has been created in the North of Ireland a feeling of absolute consternation. Every section of opinion —Orange, Nationalist and Liberal Unionist—has combined on this question. The most faithful and most docile supporter the policy of the Government has had in the province of Ulster for the past six years has been the *Northern Whig*. That paper has not given us very much guidance recently on the general question of land purchase, but since this clause has been placed on the Paper it has turned round and attacked the Government for its action in the matter. In the same way every association of tenant farmers that has met in Ulster so far has attacked the proposal of the Government, and now we have the accredited Representatives of the Government in Ulster speaking against it. Under these circumstances it is certain that the proposal of the Government will break down. There is at present a certain amount of land in the Land Court under the authority, and to a certain extent under the discretion, of a particular Judge. The moment you introduce this artificial distinction the discretion of Mr. Justice Munro becomes fettered. It will be absolutely impossible for him to sanction sales of the property that has come into his Court and, as far as land purchase operations are concerned, over the greater part of Ireland they will break down. I sympathise with the smaller class of tenants in Ireland, and agree that it is perfectly fair that they should get their proportion of this money, but you propose to give them their proportion not on the basis of value but on that of numbers, thereby excluding the great bulk of the well-to-do tenants of Ireland, who certainly are entitled to as much consideration as any other class of tenants. I find that under the proposal of the Government, as far as Tyrone is concerned, not 1 in 13, as the right hon. Gentleman the Chief Secretary suggested, of holdings over the value of £30 can be sold, but only 1 in 30·8. It will be absolutely impossible to hope for any settlement of the land question when such an enormous bulk of the best class of the tenantry will be excluded from any chance of a settlement. As the purchase is to be by agreement, and the interests of tenants and landlords will come ultimately to the same thing, I see nothing inconsistent in supporting the arguments advanced by gentlemen who speak as landlords. I believe that

Captain Bethell

under the combined pressure of landlord and tenant the artificial distinction of the Chief Secretary is bound to be broken down, and therefore I, as representing an agricultural constituency in Ulster, shall vote against the clause and give it all the opposition in my power.

(6.57.) MR. T. P. O'CONNOR (Liverpool, Scotland): I will not stand between the Committee and a Division for more than a few moments. I wish to explain why it is that, although I sympathise with the purpose of the Amendment, I find myself compelled to vote against it. The hon. Member for Leicester (Mr. Picton) put the case, I think, as strongly as it could be put in favour of the Amendment. He assumed that what we were really discussing was whether this money should be fairly divided between large and small tenants or not. If that were simply the question before the Committee I do not think anybody on this side of the House would have any hesitation in voting in favour of the clause. We are just as strongly as the hon. Member for Leicester in favour of the fair distribution of the money among the small tenants. My hon. Friend said this was a question on which he could not claim to have any special information, and I think that if he were as well acquainted with the affairs of Ireland as we are, he would see that the reason why we vote against the clause is that it does not carry out the object which he desires to see achieved. I think the Chief Secretary is entitled to the recognition that has been fairly given to him of the spirit and purpose with which the clause has been introduced. I have listened to every word of this Debate in a perfectly impartial spirit, because—to be candid—I had not made up my mind as to the vote I would give when I entered the Committee this evening. The conclusion I have come to is, that if this clause were operative—and all the probabilities are that it will be absolutely inoperative—if it became operative it would mean, that if a certain number of large farmers were to go in for land purchase, land purchase would be at an end. It has been pointed out that five large farmers would exhaust all the money that could be given to large farmers in a particular county. I will take the case put by the hon. Member for West Belfast. If five large farmers in a county exhaust all the money allotted under the Act to that county, it will prevent land purchase transactions on every other estate in the county. The Chief Secretary, when asked as to the consistency of such a proceeding, points back to remarks made by us in condemnation of the large landlords who received considerable sums under the Ashbourne Acts. May I point out that those remarks were mainly made by hon. Members above the Gangway rather than by those below it, and that when they were uttered from these Benches they were made with an entirely different purpose to that implied by the right hon. Gentleman; they were made in order to point out the inconsistency of the right hon. Gentleman's own Party, members of which were the first to take advantage of the Act. I come now to the second objection. The right hon. Gentleman said that my hon. Friends assumed, in one part of their argument, that purchase would take place not by estates, and in another that it would be by estates. No doubt on some estates only a certain number of large farms will be purchased; and on other estates the landlord will absolutely refuse to sell unless every holding, large and small, is included in the transaction. It is quite conceivable, therefore, that in one county a landlord, by selling five or six large farms, will exhaust all the funds applicable for the purpose in that county; and I contend, therefore, that this new clause will have the effect of arresting land purchase by putting it in the power of the large farmers to grab all the money. Whether it be inconsistent or not, I am in favour of purchase by estates; and hon. Members opposite from Ireland will, I think, agree with me that that is the only really substantial form in which a land purchase system can be carried out. I quite admit that my hon. Friend the Member for Leicester is entitled to vote for this clause on account of his general objections to a land purchase system, but he is not consistent in voting for the clause if he thinks that by so doing he will benefit the small farmers of Ire-

land. I think that, on the contrary, he will injure them. I am of opinion that the clause, even if passed, will prove inoperative. I would like to call my hon. Friend's attention to the undemocratic principles embodied in the clause. Under it there is a suspensory power. The Lord Lieutenant, on the recommendation of the Land Commission, can suspend the operation of the clause altogether. I ask my hon. Friend, in the name of the democratic principles which we both of us profess and practice, is it right to remove from this Legislature the control of an Act of Parliament which it has passed, and to place it in the hands of a Party official—to give the Lord Lieutenant, in fact, the power of using or abusing it? The Lord Lieutenant may, at his discretion, refuse to put in force the provisions of this clause. That is evident. But I will carry the argument one step further. If my hon. Friend will study the clause he will find it gives the Lord Lieutenant power to interrupt the operation of the clause in favour of one particular county. That is bad enough. If you had a Tory Lord Lieutenant who wanted, for some electioneering purpose, to make a discrimination in favour of a county where the Tory vote is strong, as against a Nationalist county, he would be able to do it under this clause; he could exclude the Tory county from its operation and include the Nationalist county in its operation. That is not all, the Lord Lieutenant could actually exclude a particular estate, he could even except a particular individual. How, in the name of the democratic principles which we both so earnestly hold, can the hon. Member for Leicester vote for such a clause? I join in the recommendation that this clause should be withdrawn.

(7.10.) MR. CHANCE (Kilkenny, S.): I regret that this clause has been introduced, because I look upon it as an entire reversal of the land policy of 1870. The right hon. Gentleman is not wise in coming to the Committee at this stage, and telling us that he looks upon this as an experiment. This is not a subject on which he ought to experiment. He tells us that £30,000,000 must be considered to be the limit of money to be used for land purchase. That statement in itself is sufficient to justify Irish Representatives, whether from Orange or Green counties, in condemning the clause. Even if the clause in itself were beneficial I should decline to vote for it if it laid it down as a principle, that no more than £30,000,000 was to be applied to land purchase. The right hon. Gentleman seems to think he has settled that point by his mere declaration; but if he had examined, as we have done, the history of Irish land purchase, he would know that there is hardly a declaration made by Tory Ministers which they have not been obliged, at a subsequent date, to swallow. I am rather puzzled as to what this clause really means—or rather, I was puzzled, because now I have come to the conclusion that it means nothing at all. Evidently the right hon. Gentleman himself doubted the wisdom of the principles it involves, or he would not have given the Lord Lieutenant power wholly and absolutely to suspend its operation. At present the landlords try to sell both small and large holdings on their estates; they would not dream of selling only the large holdings and retaining the small ones, thereby involving themselves in considerable expense in collecting small and uncertain rents from the poorer tenants. But what will be the effect of this clause? A dozen large tenants will buy in one county, and then the whole of the other large tenants will be excluded from the operation of the Bill, and a landlord will only be able to sell his smaller holdings, unless he adopts the fraudulent and suicidal policy of cutting up the larger holdings. Seeing the expense he may be put to by the Land Commissioners in investigating the title, &c., he will not be willing to sell the small holdings at such a price as he would accept if the large farms were sold as well. Therefore, one effect of this clause would be to increase the number of years' purchase extorted from the purchasers of small holdings. That surely would be very dangerous. On that ground, and also because of the intimation of the right hon. Gentleman that the clause is to be taken as fixing the limit of money to be advanced at £30,000,000, I shall vote against the clause.

*(7.20.) MR. JORDAN (Clare, W.): As a Representative of the small farmers of West Clare, I sympathise with the spirit of the new clause, and if I thought the limit of money advanced was never to exceed £30,000,000 I would vote for it. But notwithstanding the declaration of the Chief Secretary that no more than £30,000,000 will be advanced, I do not believe the grant can remain at that point. It must be increased, were it only in the interests of Ulster. I cannot, therefore, support it, for by keeping to that limit discontent will be created among those who are unable to come under the Act. I am anxious that the whole of the tenantry of Ireland should have an opportunity of availing themselves of the advantages of the Act.

MR. T. M. HEALY: Surely there must be some collusion between the Chief Secretary and the Member for Cork. May I suggest that our objections to the clause would be modified by a provision that tenants of holdings over £30, who will be excluded from the Act, shall also be excluded from the burden of taxation arising under it?

(7.23.) The Committee divided:—Ayes 111; Noes 26.—(Div. List, No. 238.)

(7.30.) MR. T. M. HEALY: I beg to move to omit from the new clause the words "the Lord Lieutenant," in order to insert "the Land Commission." This clause deals with a matter which should not rest in the hands of a political official connected with the Government. It seems to me that if the matter is left in the hands of the Lord Lieutenant, as proposed by the clause, it will not be dealt with in a manner satisfactory to the parties interested, for the Lord Lieutenant will not have the same acquaintance with questions of land purchase as the Land Commissioners whom I propose to substitute. Questions under this clause might be decided for or against a tenant solely on the declaration of the Lord Lieutenant, and that, to my mind, would be highly undesirable. I also object to the word "shall" in the clause, and think it should be "may."

Amendment proposed to the new Clause, line 1, to omit the words "the Lord Lieutenant," in order to insert the words "the Land Commission."—(*Mr. T. M. Healy.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

(7.35.) MR. A. J. BALFOUR: It is a matter merely of calculation and not of policy which the clause refers to the Lord Lieutenant, so that there is nothing to be gained by referring it to the Land Commission, who will have no means of obtaining these statistics. The Lord Lieutenant can have no party interest in such a matter, and the Land Commissioners cannot take his place.

MR. MAC NEILL (Donegal, S.): If it is a question merely of calculation the Registrar General would be the proper person to exercise these powers, and I would suggest that he should be substituted for the Lord Lieutenant.

MR. T. M. HEALY: I am surprised to hear that the Land Commission have no means of ascertaining the statistics which have to be ascertained under this clause. I should have imagined that they would have been much more likely to have had the means of ascertaining the statistics than the Lord Lieutenant. It seems to me that the Government must have had some sinister object in trusting to the Lord Lieutenant in this way. The Land Commission is a Department of the State in which we have some confidence, but we have no confidence in the Department of the Lord Lieutenant, and why he should be dragged into it I cannot conceive. I shall certainly go to a Division.

MR. SEXTON: If the Registrar General is a competent person to tabulate the results of the Census, I think you might very well leave in his hands the much less difficult work of defining the number of landholders of less than £30 valuation. I call to mind that in an earlier clause of the Bill the duty of determining the share of the county in the Guarantee Fund—a duty not unlike that which would be imposed on the Lord Lieutenant under this clause—was entrusted to the Lord Lieutenant, and the Government promised that the per-

sons interested should have an appeal if it was thought that hardship was inflicted. Well, there may be hardship inflicted under this clause, for there is not only the rate book to be taken into consideration, but there are several excluded classes who may be included by the action of the Lord Lieutenant to the detriment of a great many people. If the right hon. Gentleman the Chief Secretary does not agree to placing these powers in the hands of a public Department, I trust that, at all events, he will allow those whose interests are affected an opportunity of checking the action of the Lord Lieutenant in the matter.

(7.40.) MR. CHANCE: The Government seem anxious to throw the responsibility for this on the Lord Lieutenant, but it might happen that we might have a Lord Lieutenant who was not an expert at arithmetic——

THE CHAIRMAN: Order, order!

MR. CHANCE: He might not understand this question of rents, and might not be an expert at statistics.

THE CHAIRMAN: The hon. Member is trifling with the Committee.

MR. CHANCE: I have no desire to do so.

THE CHAIRMAN: The hon. Member must be well aware that this is not a personal function of the Lord Lieutenant.

MR. CHANCE: A portion of the section directs him to "ascertain," and what I wish to point out is that he has no special knowledge himself of these matters, whilst the Land Commission will have special knowledge. If it is not a personal function why should the Lord Lieutenant's name appear here at all? If the work is to be done by someone else we should be told who is to do it. You, Mr. Courtney, have pointed out the most powerful argument in favour of the Amendment. It is obvious that we ought to deal with realities and not with phantoms, and that we should, therefore, know who is to be entrusted with this work. The Registrar General's Department is most ably conducted. The Registrar General has all these statistics at his finger ends, and it is obvious that the rational and reasonable choice lies between the Land Commission and the Registrar General.

(7.45.) MR. M. HEALY: There is something more than a collection of statistics required under the clause.

MR. A. J. BALFOUR: It may satisfy hon. Members if I say that we shall be ready to carry out the analogy of the former clause, and give an appeal to persons who consider themselves aggrieved.

MR. M. HEALY: The Lord Lieutenant is not the man to collect the statistics. This clause cannot stand as it is at present, because it would require an enumeration of every class of owner, agricultural and non-agricultural. The section would have to be administered with knowledge, and that would require something more than a collection of statistics. There will have to be a discrimination made between the different classes of holdings; why, therefore, should the right hon. Gentleman be so obstinate in his refusal to accept the Amendment? Another objection I have to the clause, as drawn, is that the Lord Lieutenant is given a discretionary power, and I do not think he is a person to exercise such a power in a matter of this kind.

MR. MAC NEILL: The right hon. Gentleman says there shall be an appeal, and I would ask him with whom that appeal will lie. Who will be the authority ultimately responsible — the Land Commission or the Registrar General? The latter official, I would point out, has fixity of tenure, and is a person in whom we have confidence. Who is to be the authority above the Lord Lieutenant to whom we are to appeal?

(7.50.) MR. M. J. KENNY: The Lord Lieutenant will have to go to the Land Commission to obtain the information he wants, and I therefore think it would be desirable to omit the Lord Lieutenant and substitute the Registrar General in conjunction with the Land Commission.

MR. T. M. HEALY: I would suggest that the Government accept the words "prescribed authority," and leave out the words "Lord Lieutenant." Will the right hon. Gentleman say what his proposal about the appeal is?

MR. A. J. BALFOUR: It does not appear to me that hon. Gentlemen are quite serious in this matter. The suggestion which we have accepted and which has called forth the statement from various hon. Gentlemen that they do not understand it, was made by the hon. Member for West Belfast (Mr. Sexton). The gentleman who cannot grasp the proposal of the Government is the gentleman who originally made it.

MR. T. M. HEALY: It is true that we suggested an appeal when we were dealing with a section of an entirely different kind. We did not, however, get it.

MR. A. J. BALFOUR: It is to be brought up on Report.

MR. T. M. HEALY: Yes, it is to be brought up on Report. It seems to me that we have no other course but to press this Amendment to a Division, although, if we had some indication of the intentions of the Government, we might not do so.

(7.56.) MR. CHANCE: The right hon. Gentleman asks us to trust him, although we are completely in the dark as to what he is going to do. Our knowledge of Governments in general does not induce us to trust them in the dark. The only appeal you can give from the Representative of the Crown is an appeal to this House, and that, I understand, the right hon. Gentleman does not propose.

MR. SEXTON: It appears to me that it would not be so satisfactory to give this power to the Registrar General or the Land Commission as it would be to give an appeal to the Courts. If we are to understand, however, that the Lord Lieutenant, having determined what is required by the 1st sub-section, there shall then be an appeal or rehearing by a Judicial Authority, I think that is as much as we can expect to get.

Amendment, by leave, withdrawn.

(8.2.) MR. CHANCE: I beg to move the Amendment standing in my name, namely, in line 3, to leave out the words "tenants of." The meaning of my Amendment will be better understood if I point out that it is to get rid of a difficulty that would be otherwise created owing to the number of people in the agricultural districts who are found bearing the same name. I have known as many as 13 persons in one district having the same surname and Christian name, and I put it to the Committee how is it possible for the Irish authority to discover who these people are? It would be impossible to say whether the Patrick Duffey of one parish is or is not the Patrick Duffey of the adjoining parish.

MR. A. J. BALFOUR: I have no objection to the hon. Member's Amendment.

Amendment agreed to.

MR. CHANCE: I have another Amendment, the object of which is to insert in the same line, and in the place recently occupied by the words "tenants of," the words "agricultural and pastoral."

MR. A. J. BALFOUR: I have no objection.

Amendment agreed to.

(8.7.) MR. LEA: I have now to move as an Amendment to this clause that the limit shall be extended from £30 to £50, and I hope the Chief Secretary will see his way to accept this alteration. My own feeling is that the clause as it stands is damaging to the Bill, and I desire to mitigate, as far as possible, the evil it might otherwise effect.

Amendment proposed, in line 6, to omit the word "thirty," in order to insert the word "fifty."—(*Mr. Lea.*)

*MR. RATHBONE: I cannot agree with the Amendment of my hon. Friend. Had it been the case of England, the argument of the hon. Member might have been held to apply, because property worth £30 per annum in Ireland, being only the value of the landlord's share of the freehold, would be worth £50 here, and a tenant's holding of the value of £50 in Ireland must necessarily be a considerable holding. I think there is considerable danger in extending the limitation in the way proposed, and, furthermore, I do not see what answer you could make to the

English farmer were he to apply for relief under similar circumstances.

MR. CHANCE: I, on the contrary, hope the Amendment will be pressed to a Division, because it will tend to minimise the evils the clause would otherwise occasion. I am sure the hon. Member for South Derry has the sympathy of every hon. Member sitting on these Benches.

(8.12.) MR. M. J. KENNY: I am not sure whether this Amendment is altogether a wise one, for this reason: that if it were not adopted, it is quite certain that the operation of the clause will be such that it must be repealed within a short time; whereas if the Amendment is carried, it may continue to work four or five years longer than otherwise. I doubt whether it would be prudent to defer the repeal of the clause for so long a time, but, taking into view the whole of the circumstances, I shall give my support to my hon. Friend's Amendment on the ground that it is a move in the right direction.

*MR. JORDAN: I shall give my vote for the Amendment, because I should like to see the Act tried, and in order that it may be tested for at least a certain number of years.

(8.18.) MR. A. J. BALFOUR: I am very sorry the hon. Member's Amendment was not placed on the Paper. The figures connected with it are, roughly, as follows:—The tenants under £30 are 472,000 odd. They are 85 per cent. of the total number of tenants, and they get about 26 per cent. of the money. The tenants between £30 and £50 are about 38,000 odd. They are 7 per cent. of the total number of tenants, and they get about 15 per cent. of the money. The number of tenants under £50 would be, in round numbers, 500,000, or about 92 per cent. of the whole, and they will together get about 51 per cent. of the money if the analogy of the Ashbourne Acts is followed. In that case nearly one-half of the whole of the money will go to the tenants above £50. If I believed that the feeling raised in Ulster and elsewhere would be mitigated or destroyed by my hon. Friend's Amendment, I would gladly accept it, but I have no sufficient assurance that that will be the result. In the absence of such an assurance, I think we ought to retain the figure on the basis of which we have discussed the Bill. I believe that the grossest abuses of the system are to be found above £50, and not between £30 and £50. It is in the higher regions of value that the grossest abuses occur.

(8.25.) MR. M. HEALY: The right hon. Gentleman the Chief Secretary has accepted so much in the direction of this Amendment that he seemed to have a difficulty in refusing it, and I therefore am encouraged to hope that a little further discussion may induce him to withdraw his opposition to the proposal. I would remind him that this is the first occasion in the history of the land agitation upon which the limit he proposes has ever been adopted. It is true there was a £30 limitation in the Arrears Act of 1882, but in that case there was the distinction between a gift and a loan, and this is the first time in the history of land legislation when tenants of over £30 have been excluded, while tenants of a less amount have been admitted. Moreover, owing to the fact that in some counties, such as Kerry and Clare, the rents are frequently two or three times the amount of the valuation, a large number of tenants will be practically excluded from the operation of the Act. Surely this is not what the right hon. Gentleman had in contemplation when he drew this clause. I think the limit of £30 would be most dangerous, and I do, therefore, urge on the right hon. Gentleman to adopt a limit of £50, which would certainly be much better.

(8.31.) MR. SEXTON: The right hon. Gentleman has met the Amendment with his usual opposition, but I would urge upon him to accept it, as an extension of the limit to £50 would afford him very good security. Is it not obvious that a great proportion of the tenants would be brought in under the Act by the extension of the limit?

MR. A. J. BALFOUR: The tenants who would be thus brought in constitute 2·5 per cent. of the total number.

MR. SEXTON: That is one-fiftieth of the tenantry. It is evident, therefore, that if the money to be paid out to the tenantry is to be limited by the relative

proportion according to the holdings, it would give rise to a great deal of abuse. The limit of £30 would act as an impediment to sell in every province, county, and barony, while a limit of £50 would leave sales perfectly free. As an Ulster Member I would advise the right hon. Gentleman to accept the Amendment.

(8.35.) MR. SINCLAIR: The Chief Secretary for Ireland has asked whether his acceptance of this Amendment would destroy the opposition to the clause. I do not think it would do that; but it would undoubtedly go far to mitigate the feeling of opposition to which the clause has given rise, and it would tend to smooth the future passage of the Bill through its various stages.

MR. LEA: I hope the right hon. Gentleman the Chief Secretary will allow me to say that his acceptance of the Amendment would tend to mitigate the very strong feeling which I have against this clause. I think a limit of £50 would constitute a far better dividing line than one of £30, and, therefore, I trust that the Chief Secretary will give way on this point.

MR. M. J. KENNY: I also may say that the acceptance of the Amendment would go far to gain stronger support for this clause.

(8.38.) MR. A. J. BALFOUR: There is one objection to the Amendment which hon. Gentlemen seem to have forgotten. Of course, under the clause the money is given not in proportion to the value of the holdings, but in proportion to their number. The amount to be allotted under the proposed Amendment to holdings over £50 will be almost insignificant. The change from £30 to £50 is considerable; but if there is a general expression in favour of it, I shall not be averse to accept the suggested compromise. It will, however, be more convenient that the final assent to the change should be given at a later stage of the Bill.

MR. SEXTON: What is the number of tenants who would be affected by this change?

MR. A. J. BALFOUR: About 5 per cent. of the total number.

MR. LEA: I think it would be better to accept the Amendment at once, and then cancel it, if necessary, at a later stage.

MR. SEXTON: I would appeal to the right hon. Gentleman to yield to the very general expression of opinion from various sections of this Committee in favour of this Amendment.

MR. A. J. BALFOUR: Very well. I will accept the Amendment.

Amendment agreed to. (8.45.)

(9.18.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

(9.20.) MR. SINCLAIR: In moving to leave out Sub-section (b) in order to insert the Amendment that stands in my name——

THE CHAIRMAN: I do not think the hon. Member's proposal is consistent with that which has been already passed in this clause.

MR. SINCLAIR: As I understand the first part of the clause, its object is simply to provide for obtaining information as to the number of holdings of various rentals which will be the subject of advances under the Act, and my proposal is to endeavour to bring under the Act those of higher valuation by the repayment of a larger amount of principal than would be the case under the system proposed in the Bill.

THE CHAIRMAN: There is no connection, as far as I can make out, between Sub-section (a) of the proposed clause and the words the hon. Member proposes to put in. There ought to be sufficient connection between them to make them run into the same clause.

MR. SINCLAIR: Then I take it that your ruling is, Mr. Courtney, that I can only move it as a new clause?

THE CHAIRMAN: The hon. Member could propose to amend the clause, but his proposal is of such a character that there is no connection between the first and the second part of the clause as he proposes it. The Amendment, therefore, appears to me to be inadmissible.

Amendments proposed, in line 9, to leave out "to tenants," and insert "for the purchase of;" leave out "tenants of," and insert "agricultural and pas-

toral;" line 10, after "pounds," insert "each."—(*Mr. Chance.*)

Amendments agreed to.

(9.24.) MR. CHANCE: I now beg to move to leave out from "proportion," in line 12, to "landlord," in line 14. The clause now reads—

"Except where, in the opinion of the Land Commission, an advance to a tenant of the first-mentioned class is necessary for carrying into effect sales on the estate of the same landlord."

That is exceedingly indefinite, and what I propose to do later on is to move to add, at the end of line 26—

"Notwithstanding anything contained in this section, it shall be lawful for the Land Commission to make advances to carry out the sale of an entire estate or entire section of an estate."

I am sure that is the intention of the Government, and therefore I hope they will agree to the Amendment.

Amendment proposed, in line 12, after "proportion," to leave out all the words to the word "landlord," in line 14, inclusive.—(*Mr. Chance.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

(9.26.) MR. MADDEN: These words are taken from the Act of 1888; they are the words under which the Land Commission have acted for some years, and I am not aware that any difficulty has ever arisen.

MR. CHANCE: If a landlord with 10,000 acres sells one holding of 5 acres to some labourer, he immediately evades the operation of the whole section. I am sure the object and intention of the Government is that the rule is to be departed from only for the purpose of completing transactions on estates or sections of estates. I do not profess that the Amendment is one of exceeding importance; and if the Government will promise to consider the matter later on, I will ask leave to withdraw the proposition.

MR. MADDEN: I shall be glad to consider the matter before the Report stage.

Amendment, by leave, withdrawn.

(9.28.) MR. CHANCE: I now move to add to Sub-section (b)—

"Provided always, that in the application of this sub-section the rateable value of improvements made by a tenant, or his predecessors in title, shall be excluded from the rateable value of a holding; and two or more holdings, whether in the same or different counties, held by the same tenant, shall be deemed to be one holding."

The reason I have for moving the Amendment is that, no matter at what figure you fix the limit, you will always get into this difficulty—you may have a tenant who is on the border line, say £49. The man may want to improve his holding—to erect buildings, for instance—but he will always feel that if he erects buildings, and they are valuable, they may bring him over the £50 limit, and cause him to lose the benefit of the clause. It is most undesirable that anything should be done to prevent a tenant improving his holding. I am sure the Government will not feel any difficulty in accepting a proposal which will prevent the section operating in any way to prevent a tenant improving his holding.

Amendment proposed, at the end of the clause, to add the words—

"Provided always, that in the application of this sub-section the rateable value of improvements made by a tenant, or his predecessors in title, shall be excluded from the rateable value of a holding; and two or more holdings, whether in the same or different counties, held by the same tenant, shall be deemed to be one holding."—(*Mr. Chance.*)

Question proposed, "That those words be there added."

(9.30.) MR. MADDEN: The sub-section takes as a test not rateable value but rent; therefore it would be impossible to accept the Amendment.

MR. CHANCE: I put down the Amendment to the clause as originally drawn. Now that the clause has been amended, the Amendment has got out of gear; but on the Report stage I will press on the Government to admit rent as the test. I beg leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. CHANCE: I now beg to move, in lines 22 and 23, to leave out "either House passes," and insert "within the said period of thirty days both Houses pass." This Amendment is inserted in a previous clause of the Bill, and I do not think it would be advantageous to give to

one of the two Chambers the power of paralysing the purchase of land in Ireland against the advice and opinion of the authority—whoever it may be—who has power to suspend the operation of this section.

Amendment proposed, in lines 22 and 23, to leave out the words "either House passes," and insert the words "within the said period of thirty days both Houses pass."—(*Mr. Chance.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

(9.34.) MR. PICTON: I object to this Amendment, which I consider quite contrary to the spirit of the arguments already used by the Irish Members. I entirely approve of the language of the clause as it stands in this respect. Hon. Members formerly objected to its being left to the Lord Lieutenant's discretion or some other Irish authority to do a certain thing without sufficient control by Parliament. When the reply was made that there was to be an appeal, and that the assent of Parliament was necessary, it was said that that appeal would be to the House of Lords, and it was then pointed out that either House could by itself consent to the exercise of the discretion by the Lord Lieutenant. We understood that the Irish Members were rather gratified by that. ["No, no!"] It is proposed by the clause that this House shall of itself have power to prevent the use of the discretion of the Lord Lieutenant, and I think that is a good proposal. No doubt the Government have carefully considered the point; but whether or not, I hope the Chief Secretary will not allow an Amendment of this kind to be carried when there are so few Members present, and when there has been so little opportunity of considering the matter.

(9.39.) MR. SEXTON: The argument of the hon. Member is not applicable to this clause. In Clause 5 it was arranged that when the Lord Lieutenant issues a declaration requiring that purchasers under the Act shall continue to pay a higher rate of purchase for longer than five years either House of Parliament may, if it thinks fit, cancel the declaration. That was a case in which the Lord Lieutenant may increase the burden contemplated by the Act, and the Committee there did well to provide that either House of Parliament might cancel the declaration. But later on, in the same clause, where the Lord Lieutenant has power to declare that in consequence of exceptional distress the occupiers in a county instead of being affected should be relieved of the Reserve Fund, it was provided that the order to cancel the declaration of the Lord Lieutenant should be passed by both Houses of Parliament. The principle is clear that where the Lord Lieutenant imposes a burden one House can upset it, but where he confers a benefit both Houses must agree in preventing it. The hon. Member (Mr. Picton) will, therefore, see that the action of the Committee on Clause 4 does not afford him a strong argument in this case. In the present case, I think that where the will of the Lord Lieutenant is defeated it should be by both Houses of Parliament.

SIR E. J. REED (Cardiff): I cannot imagine that the Government will accept this Amendment, which proposes to take away from the House the power given to it to refuse its sanction to an order of the Lord Lieutenant. We already feel that we have given up a good deal, and if we are asked to accept this we shall feel that we are being pushed too far.

(9.44.) MR. PICTON: My objection is entirely on account of what has taken place on this clause. Where the protection of the taxpayer is concerned the House of Commons should insist on having a discretion of its own. We are dealing with the interests of the taxpayer, which are generally supposed to be commended to the care of this House. I am strongly of opinion that either House should be allowed to defeat the discretion of the Lord Lieutenant in this matter.

*MR. MADDEN: The Committee will see that the analogy that has been drawn from Clause 5 does not hold good in regard to the clause we are now discussing. Clause 5 deals with the provision for exceptional agricultural distress, and enables the Reserve Fund to be called in aid in a certain event. That can only be done if it appears on the Report of the Land Commission and

the Local Government Board—both of which Bodies must concur—that there is exceptional distress, which renders it necessary to have recourse to the Reserve Fund. When these Bodies have pronounced an opinion it cannot be departed from, unless with the consent of both Houses of Parliament. That is not a case in which the policy of the Act is changed, but in which it is really carried out. But this Amendment is a very different matter. If the policy of the legislation is to be reversed, it should be by the consent of both Houses of Parliament.

(9.47.) MR. CHANCE: I think it would be convenient if we dealt with the first part of the Amendment first. I think the Government are prepared to assent to it. I would ask leave to withdraw the Amendment as at present proposed.

Amendment, by leave, withdrawn.

Amendment agreed to, in line 22, after "if," to insert "within the said period of thirty days."

Amendment proposed, in lines 22 and 23, to leave out the words "either House passes," and insert the words "both Houses pass."—(*Mr. Chance.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

(9.50.) MR. CHANCE: I would point out that the object of the Bill is to devote £30,000,000 to land purchase in Ireland, and it does not seem to me that this object should be interfered with, unless with the consent of both Houses of Parliament. I fully admit that the hon. Member who spoke from the Front Opposition Bench (Sir E. J. Reed) is consistent in the attitude he assumes, as he has all along objected to allowing British credit to be used in the interest of the Irish tenants. But he is prepared to allow Ireland to settle the land question for itself by a Home Rule Parliament. The Government are not prepared to allow that. They desire to settle the matter for us, and if they do it, I would ask them to do it openly and frankly. Do not let them allow this power of withdrawing a large portion of this £30,000,000 from us to remain in the hands of the Lord Lieutenant without the check of the assent of both Houses of Parliament.

(9.53.) MR. MAC NEILL: I would remind the Committee that a Tory House of Lords may acquire the power of crippling the hands of a free Executive Government, especially if it is not disposed to view with favour the political tendencies of the Party in power at the time. Certain landlords, or tenants, may be obnoxious to them, and they may prevent this money being utilised in the manner proposed in the Bill. They may paralyse the hands of the Executive in dealing with this matter. This proposal as it stands gives an equal power to both Houses in the letter although in the spirit it does nothing of the kind. I do not remember any Bill, in my experience, in which under any circumstances the House of Lords and the House of Commons were placed in contrasted situations in reference to their power, so that either could paralyse the action of the other.

(9.58.) MR. SEXTON: I wish to ask the Attorney General for Ireland in what case it is proposed that this proviso shall come into operation? I doubt very much whether any Member of the Committee has a clear conception of the use that may be made of the proviso. I have been endeavouring to speculate as to the kind of case that would arise. It might appear to the Lord Lieutenant that the small tenants in any county would not be likely to exhaust their share of the money because they were not inclined to apply. In such a case the question would be whether the fund in that county should be allowed to remain idle or not. I would press on the right hon. Gentleman the contention that no authority of less power than that which originated the Act should have power to interfere with the execution of the Act.

(10.3.) MR. A. J. BALFOUR: I am asked, under what circumstances the Lord Lieutenant would stop the operation of the Act under the sub-section. Of course I am unable to prophesy in this matter. The reason and justification for introducing a sub-section which allows the Lord Lieutenant to interfere is that we are obviously and avowedly in

a period of tentative experiment. It is true we have expended £6,000,000 of money in land purchase, but we have still much to learn on the subject. It is because we cannot penetrate into the future with a prophetic gaze that we give to the Lord Lieutenant the power to modify the course of the experiment if it should seem to him to be taking an unfavourable turn.

MR. SEXTON: I suppose you have some case in view.

MR. A. J. BALFOUR: I might be able to imagine cases, but I do not suppose my power of imagination can deal with all the possibilities which may occur in the historic future. The question is as to what power shall deal with this subject. I think we ought not to go to a less authority to modify the Act than that which has passed it. It will be plain to the hon. Gentleman that, if his Amendment be carried, it will be possible for the Lord Lieutenant, with the concurrence of one House of Parliament, to alter a policy which can only be carried into effect with the assent of both Houses. Although we ought to leave a loophole to the Lord Lieutenant to deal with future difficulties if they arise, there should be no fundamental alterations in the policy or working of the Act unless he has behind him the authority of the two Houses of Parliament which has passed the Act. For that reason we think it necessary to adhere to the wording of the clause, by which the concurrence of both Houses is required for the alteration of the Act, just as their concurrence is required for the Act to come into existence.

(10.6.) MR. CHANCE: The right hon. Gentleman has argued excellently against his own clause, under which either House will be entitled to stop the application of money to an object for which it has been granted by both Houses. I congratulate the right hon. Gentleman upon the ingenuity with which he has argued against his own clause.

*SIR E. J. REED: We shall offer the most strenuous opposition to the withdrawal of this limitation.

(10.10.) The Committee divided:—Ayes 109; Noes 14.—(Div. List, No. 239.)

*(10.17.) MR. RATHBONE: I have now to move an Amendment providing that the sum advanced for the purchase of a holding above the limit of £50 shall not exceed one-third of the whole sum to which the county is entitled. I think that is a liberal allowance, because as the large holdings have got two-thirds of the Ashbourne Act money I think that a third of the £30,000,000 would be amply sufficient. As the clause at present stands it appears to me that it is within the power of any owner to produce that position of necessity which allows the Land Court to make each case an exception. A landlord has only to refuse to sell unless large holdings are included in the purchase, and thereupon the necessity arises, and therefore I think some general limitation is necessary.

New Clause—

(Limitation of Loans.)

"The amount to be advanced under this Act for the purchase in any county of holdings of which the annual value exceeds fifty pounds shall not exceed such proportion of the whole amount available under this Act for the purchase of holdings in that county as the Land Commission may fix, having regard to the relative number of holdings of an annual value over and under that amount in the several counties.

The proportion so fixed for holdings of an annual value of more than fifty pounds shall not in any county exceed one-third of the whole amount available under this Act,"—(*Mr. Rathbone,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

(10.20.) MR. A. J. BALFOUR: I hope the hon. Member will not think it necessary to press this. I am sure the efforts he has made to preserve the great bulk of the money to the small tenants of Ireland are deserving of every consideration from the Committee. The Committee have carried out a great deal of what my hon. Friend desires to attain, but I do not think the object would be attained by the Amendment on the Paper. When the figure stood at £30 it might have been desirable to provide that the tenants under that amount should have the advantage of two-thirds, but now that the limit had been raised to £50, I am inclined to think that the

hon. Member will not gain very much for the class he has in view, and he may lose something, for the Land Commission may take it as an instruction not to pass the limit of two-thirds—a limit which, as experience has shown, does not fall very far short of that which actually prevails. On the whole, I am inclined to think that the Land Commission would rather be induced by the Amendment to deal laxly with Sub-section 2 of the clause, and that probably the result would be that more money would go to the tenants over £50 than would be the case if the Amendment was left out. I hope, therefore, the Amendment will not be pressed.

*(10.23.) MR. RATHBONE: I feel there is force in what the right hon. Gentleman says. My object is to prevent the clause being absolutely unjust in its operation by reason of the exceptions, but the means of attaining my object is affected by the alteration of the limit of £30 to £50.

Motion, by leave, withdrawn.

*(10.24.) MR. RATHBONE: My second Amendment is to the effect that the Land Commission, in considering applications for advances for the purchase in any county of holdings of which the rateable value exceeds £50, shall have regard to the amount at their disposal for the purchase of such holdings and to the requirements, whether immediate or prospective, of the several estates in that county. The right hon. Gentleman, on a previous occasion, said this was a matter worthy of consideration, and it carries out a suggestion made by the hon. Member for West Belfast that the Commissioners should have this discretion. I hope, therefore, that it may be accepted.

New Clause—

(Limitation of Loans.)

"The Land Commission, in considering applications for advances for the purchase in any county of holdings of which the annual value exceeds thirty pounds, shall have regard to the amount at their disposal for the purpose of such holdings, and to the requirements, whether immediate or prospective, of the several estates in that county,"—(*Mr. Rathbone,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

Mr. A. J. Balfour

MR. SEXTON: As the hon. Member has referred to this as carrying out a suggestion of mine, I may be allowed to say that it is merely a fragment of a proposal I made, and standing alone it does not effect the purpose I had in view.

MR. A. J. BALFOUR: I have the heartiest sympathy with the object aimed at, but I think my hon. Friend will, on consideration, see how difficult it would be for the Land Commissioners to carry out his suggestion. For the Commissioners to have regard to the "immediate or prospective" requirements of the county would be to plunge them into a sea of speculation as to the course of future land purchase in the particular county. They would have to take into consideration a number of facts which could not come before them as judges, though they might as politicians, and on this shifty and sandy foundation they would have to build up the whole fabric of their conduct in dealing with the several estates. It would be practically impossible to ask any business Department to undertake the work which this Amendment would throw upon them.

Motion, by leave, withdrawn.

MR. KNOX (Cavan, W.): I have to move a small Amendment to provide for a small detail which does not appear clear in the clause as it stands. We provide a certain amount for the large and the small tenants, and we provide also for exceptional cases, and it is these exceptional cases that I wish to provide shall not be included in the total of advances for larger holdings.

Amendment proposed,

In line 24, to add "Provided also that where an advance has been made to the tenant of a holding of which the rent exceeds £50 per annum, because, in the opinion of the Land Commission, it was necessary to carry into effect the site of the estate of the same landlord, such advance shall not be taken into account in estimating the total amount advanced to the tenants of holdings the rental of which exceeds £50."—(*Mr. Knox.*)

*(10.30.) MR. MADDEN: I do not think it necessary to discuss this Amendment, for the present is clearly not the proper place to insert it. I will undertake that the point the hon.

and learned Member raises shall be considered before we reach Report stage.

Amendment, by leave, withdrawn.

Verbal Amendment,—(*Mr. Chance,*)—agreed to.

Question proposed, "That the Clause, as amended, be added to the Bill."

(10.35.) MR. SEXTON: We doubt the utility of the clause, and shall divide against it. Before we part with the clause, let me draw the attention of the right hon. Gentleman to a point which he has very gracefully evaded. The experiment we have before us is to ascertain whether the tenants of Ireland are willing or able to purchase their land on the terms proposed. The result of the experiment means the success or failure of the Bill. I assume that so long as the tenants in the two classes are able to take up their farms on the terms prescribed, the experiment will not be interrupted, and for this reason I suggested that the power of the Lord Lieutenant in the proviso should not be brought into operation in any county so long as the larger tenants exhausted their share, and the smaller tenants were able and willing to take up the amount allocated to them. I assume that so long as this is the operation of the clause there will be no interference of the Lord Lieutenant under the proviso. But I wish also to direct attention to the distinction between the rental and the rating value. Observe that, in the first place, the Lord Lieutenant will make an apportionment upon the rateable value over and below £50. But when we come to the 2nd clause, we find that the Land Commission is to proceed upon the basis of rental value, not rateable value, and thus the Commission may find themselves in an embarrassing position by reason of this distinction.

(10.40.) MR. A. J. BALFOUR: If we could have arrived at the rentals of all the holdings, I think the rental would be the proper basis not merely for Sub-section 2, but Sub-section 1, instead of the rating; but, as a matter of fact, we could not get statistics to enable us to determine the relative proportion of rentals over and under £50. We are reduced, therefore, to a method which is somewhat rough and ready, and have framed our estimate of the two classes above and below £50 upon the basis of rating, as we have no other data at our disposal. The difficulties and inequalities that may arise, however, are theoretical rather than practical, and I think we should apply the clause harshly if we adhered throughout to the basis of rating. With individual cases, of course, the rent is at once ascertained, but with classes that is not so. The rating gives a broad general ground for determining the general proportion; but when you come to the discussion of individual cases before the Court, then the rent determines whether a man should be included in this or that class. Rating was determined 30 years ago, and under circumstances no longer applicable to the present position. While I admit the value of the hon. Gentleman's criticism, and agree that the clause would run more smoothly if we went upon rental in both instances, I think we shall do well to keep to the rateable value in the first paragraph, and to the rental where there is that basis to go upon. To attempt to put rental in the first instance would be to throw upon the Lord Lieutenant and Council the duty of determining a question as to which they would have no information to proceed upon. The hon. Member asks as to the exercise of the power vested in the Lord Lieutenant to intervene and alter the operation of the clause. It is, of course, difficult or impossible to foresee the positions that may arise, and this is intended simply with a view of meeting the unforeseen. We do not contemplate that any tenant will be deprived of his privilege of purchase under this provision, but I will go no further than to say it is conceivable that a position might arise in which, in the interest of the working of the land purchase scheme as a whole, such a provision might be usefully exercised.

(10.45.) MR. SEXTON: The explanation of the right hon. Gentleman is satisfactory, and I may explain that in reference to the question of rateable value and rent I only wished to indicate

the advantage of uniformity in the construction of the clause.

MR. CHANCE: Will the right hon. Gentleman consider, between now and Report, the expediency of some compromise whereby, where a judicial rent is not fixed, the delay of from 18 months to 2½ years, on an application to the Commission to have a fair rent fixed, may be obviated?

MR. KNOX: There is one point which has not, I think, been considered — that is, that this provision will work harder against the tenants of Ulster than elsewhere in Ireland. There are more large tenants in Ulster than in other parts of Ireland, and in a great part of Ulster the judicial rents have been fixed recently, and are rather less than the valuation, and so the amount available for the big tenants will be smaller than if the annual value were inserted in the clause. In other parts of Ireland the difference will not be so great. It is a well-known fact that Griffith's valuation began in the South just after the famine, and was calculated on a low scale when prices were low. But the scale rose as time went on, and the valuation in Ulster came last. It is not altogether, perhaps, relevant to this clause; but perhaps the right hon. Gentleman will consider whether it would not be possible to frame a clause to provide that when the rent is less than the rateable value the rateable value should be taken as the standard in the 2nd sub-section as well as in the 1st?

(10.52.) MR. M. HEALY: I would ask whether, in connection with this clause, and, indeed, in regard to the provisions of the Bill generally, it will not be necessary to introduce an express enactment limiting advances to agricultural tenancies absolutely. I have in view the case of town holdings in Kanturk bought and sold under the Land Purchase Acts, and it becomes important, when the amount is limited, that any portion of the advances should not be absorbed in respect to town holdings. I think the hon. and learned Gentleman will admit that this is an important matter. We think that the sum set apart for land purchase ought not to be absorbed by the tenants of houses in towns to the detriment of agricultural tenants.

MR. MADDEN: I do not think that the question arises directly on this clause, although the Amendment which the hon. Member suggests might very properly be discussed in another place.

(11.0.) MR. T. M. HEALY: I think it is material to this clause. The holdings we are now discussing are those under £50 value. My point is this: that the larger tenantry are hit hard enough by this clause, without robbing them to the further extent of allowing the amount available under the Act to be reduced by sales of town holdings, the tenants of which would come in under this clause. The Land Commission would be doing great wrong to the larger tenants in a county if, for the purpose of enabling a whole estate to be sold, they handed over to the town tenants a portion of the money which would otherwise go to the larger tenants. While, no doubt, this House would be very glad to do all it can for the benefit of the urban tenants, it will not be willing to sacrifice the larger class of agricultural tenants in Ireland for the mere purpose of enabling houses in towns to be bought with moneys provided under the Land Purchase Act. The Land Commissioners undoubtedly will be prepared to facilitate the sale of estates so far as they consist of agricultural land, but they cannot be expected to do more than that.

(11.4.) The Committee divided — Ayes 108; Noes 22.—(Div. List, No. 240.)

(11.14.) MR. KNOX: I beg to move the clause which stands next in my name, and I hope that the Chancellor of the Exchequer will see his way to accepting it in some form or other. It seems to me that the great danger of pledging local securities under this Act is to be found not in the actual burden which will fall on the localities, but in the fact that the borrowing powers of those localities will be seriously impaired

by the extent to which the securities have been pledged. So far as the ordinary borrower is concerned, it is impossible by any provision in the Bill to provide against that danger; but I venture to think that, so far as the Government is concerned as a lender, it should make some special provision in regard to this. The Chief Secretary and other Members of the Government have from time to time expressed an opinion that the contingent portion of the Guarantee Fund is never likely to be touched, and that it has only been put into the Bill in order to reconcile the British taxpayer to the loan of the money. If they believe that, then let them come to a distinct bargain by accepting this clause, which will not increase the risk.

New Clause—

"The Commissioners of Public Works in Ireland, in considering the description and certainty of the security offered for repayment of any advance applied for from them by any local authority, and the Treasury in directing such Commissioners, shall not take into account—

(a.) The charge which may under this Act be imposed upon any grant forming part of the cash portion of the Guarantee Fund, unless a deficiency in the Land Purchase Account shall actually in any year become payable out of such grant;

(b.) The charge which may under this Act be imposed upon any grant forming part of the contingent portion of the Guarantee Fund; or

(c.) The possibility of a levy being made upon any county under Sub-section 3 of this section,"—(*Mr. Knox,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

(11.17.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The hon. Member can scarcely expect us to accept this clause as it stands. Although we do not believe at the present moment there is any risk, there might still be a strike in the locality, and it would be the duty of the Commissioners of Public Works to consider the risk that might be incurred. But the clause as it stands directs that under no circumstances shall that risk be taken into consideration.

MR. SEXTON: I think the right hon. Gentleman admits in principle the contention of my hon. Friend and the hardship inflicted on the borrower by the pledging of the security. The prospect of a strike is extremely vague, and I would therefore suggest that the clause might be accepted, with the modification that the liability had not arisen under the contingent portion of the Guarantee Fund, but had arisen out of the cash portion.

(11.20.) MR. GOSCHEN: I am unable to accept that. I think that no compromise is possible on this clause. I hope the hon. Members will allow things to take their natural course, and not press this clause to a Division.

MR. KNOX: I think the clause is a reasonable one from all points of view. I do not propose to interfere with any of the creditors of the Local Authority except when the creditor is the Government. The right hon. Gentleman says there is a probability of default under this Act. I ask, how are the Commissioners to tell whether a strike is probable or not? I hope some direction will be inserted in the Bill, otherwise it will work disastrously in many parts of Ireland.

Question put, and negatived.

(11.24.) MR. KNOX: I confess that my reason for putting forward the last clause was to pave the way for the next one in my name, which will, if accepted, enable any purchaser under this Act to purchase Land Stock through the medium of Savings Banks. The Chancellor of the Exchequer has promised to accept a suggestion made by my hon. Friend the Member for North Kilkenny that purchasers should be able, if they choose, to pay their annual instalments in Stock instead of in cash; but that provision will be of no use to the smaller purchasers if they have to go to the expense of instructing a broker in Dublin to buy Stock for them. I would therefore suggest that the Stock should be purchaseable through the medium of the Savings Bank.

New Clause—

(Purchase and sale of Guaranteed Land Stock through Savings Banks. 43 and 44 Vict., c. 36.)

"Regulations as to investments in and sales of Government Stock made under 'The Savings Bank Act, 1880,' may include provisions for the investment in and sale of Guaranteed Land Stock at the request of any depositor in a Post Office Savings Bank, and such regulations may further provide for the purchase of Guaranteed Land Stock at the request of any person liable to pay an annuity under the Land Purchase Acts, as amended by this Act, at any Post Office Savings Bank prescribed in such regulations,"—(*Mr Knox,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the clause be now read a second time."

(11.25.) MR. GOSCHEN: I am willing to take a more benevolent attitude towards this clause than I did to the last. I agree that depositors should be allowed to invest in the Guaranteed Land Stock, which is practically Government Stock, in the same way as they can invest in Consols. We all, I think, desire that the Stock shall become as popular as possible. The hon. Member and myself have the same object in view, but, as I doubt whether the clause as worded will carry out that object in the best manner, I suggest that the hon. Member should withdraw the clause, and that the matter shall be dealt with hereafter. In the meantime I will communicate with the Postmaster General, and consider what is the best course to take.

MR. CHANCE: The right hon. Gentleman did not tell us whether he will carry out the pledge he gave us at an earlier stage with reference to enabling purchasers to pay their annuities in Stock.

MR. GOSCHEN: Yes. I am prepared to give effect to that pledge at the proper time.

MR. KNOX: Under the circumstances I ask leave to withdraw the clause.

Clause, by leave, withdrawn.

(11.28.) MR. CHANCE: In regard to the new clause I have now to propose, I desire to draw the attention of the Government to two points, one of which is of a somewhat technical nature. The clause in the Act of 1887, under which the investment of a guarantee deposit will take place, does not contain a single word importing any discretion on the part of the Land Commission as to the character of the investment. It is therefore possible the investment may be in Irish land. Now, a guarantee deposit might be drawn upon at very short notice, and any serious delay in realising it would cause a great disturbance of all the accounts which find a place in the Bill. A guarantee deposit invested upon the security of land could not be realised quickly. It is well known that the Landed Estates Courts are crowded with estates for sale, and that it is impossible in 90 per cent. of the cases to induce any one to purchase except tenants getting grants or loans under a land purchase scheme. Nothing could be worse than to invest money intended to prevent loss in the very operations in which the loss may be incurred.

New Clause—

(Investment of Guarantee Deposit.)

"(1.) No portion of a guarantee deposit shall be invested upon the security of land; (2.) The Land Commission may, in their discretion, refuse to authorise an investment of a guarantee deposit,"—(*Mr. Chance,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

*(11.33.) MR. MADDEN: It is true there are no words here which expressly give a discretion to the Land Commission; but such words are not necessary to enable the Commission to exercise discretion judicially between the various classes of investments which are open to them. Any security that is not immediately available would be unsuitable to the investment of the guarantee deposit. I have no objection, on the part of the Government, to the introduction of words carrying out the intention of the hon. Member without limiting the proposal to land. We might adopt some such words as these, "No portion of the guarantee deposit shall be invested in any security that is not readily available."

MR. M. HEALY: My hon. Friend has pointed out one class of security in which it is impossible that the money could be readily available, and I presume, therefore, there can be no objection to stating in the Bill that there shall be no investment in land.

MR. CHANCE: I would suggest these words—

"No portion of the guarantee deposit shall be invested on the security of land or any other security that is not readily available."

*MR. MADDEN: I do not see why we should specify land when we are laying down a general rule.

MR. M. J. KENNY: Would the case not be met by a proviso that the Land Commission shall invest in such securities as are most readily realizable? There is a similar proviso in the Land Purchase Acts.

*MR. MADDEN: I quite agree that there should be an injunction that the Commissioners are not to invest in any security that is not readily realizable, but I think it would be well to adopt the words last suggested by the hon. Member for South Kilkenny.

Motion, by leave, withdrawn.

MR. CHANCE: I move the clause now in the altered form.

New Clause—

(Investment of Guarantee Deposit.)

"No portion of the guarantee deposit shall be invested in a security that is not readily realizable,"—(*Mr. Chance,*)

—brought up, and read the first time.

Motion made, and Question, "That the Clause be now read a second time," put, and agreed to.

Clause added.

(11.41.) MR. CHANCE: I beg now to move a clause providing that where a holding is sold by a mortgagee to a tenant the sale may, for the purposes of the Ashbourne Acts and this Act, be deemed to be a sale by a landlord to a tenant. The first thing I have to point out is that a mortgagee is not included within the term "landlord" in the Land Purchase Acts. Although the mortgagee may be the real owner of an estate and may be entitled legally to sell it by private contract to anyone in the street, he cannot sell it to the tenants, or if he does they cannot get an advance of one penny under the Purchase Acts, except by presenting a Petition to the Court and waiting probably a couple of years. What has been the result of this flaw in the Land Purchase Acts? It has been that the Land Judges of the Chancery Division have in their Court scores of estates lying derelict, and a source of trouble to everyone concerned. Every one of those estates might have been sold to the tenants if this provision had been adopted. In this clause I do not give to the mortgagee any power of sale. The clause will not be operative unless the mortgagee is legally entitled to sell the estate; it gives him no power whatsoever; it merely provides that the tenant purchasing from him shall be entitled to get an advance under the Act as if the purchase were from the landlord. I trust the Government will accept this new clause.

New Clause—

(Advances in the case of sales by mortgagees.)

"Where a holding is sold by a mortgagee to a tenant the sale may, for the purposes of advances under the Land Purchase Acts and this Act, and of guarantee deposits under the said Acts, be deemed to be a sale by a landlord to a tenant,"—(*Mr. Chance,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

*(11.46.) MR. MADDEN: I do not think the hon. Gentleman was justified in referring to the omission of the power he now proposes to give from the Act of 1885, as constituting any flaw or defect in that Act. On the contrary, it never has been the policy of any of the Land Purchase Acts to place the mortgagee in the position of the landlord with regard to the negotiations with tenants and sales to tenants. The hon. Member knows that sales of land in Ireland are, as a rule, effected through the instrumentality of the Land Judges Court. [MR. CHANCE: At great expense.] Well, it is found that the ad-

vantages gained by selling through the Court is more than an equivalent for the cost. The Act of 1885 provided that where a holding was sold by the Land Judges Court the sale should be deemed to be a sale by the landlord to the tenant. That was a different thing to leaving the sale of the holding a matter between the first mortgagee and the tenant. The first mortgagee simply sees he is himself secure; he has no general interest in the management of the estate. It would be an extremely dangerous thing to give to a man who may have a charge of £1,000 upon an estate which may have a value of £10,000, power, without the intervention of any Court, to act as the landlord.

(11.53.) MR. CHANCE: I am afraid the right hon. and learned Gentleman's remarks are liable to be misconstrued. He spoke as if the mortgagee had no power of sale to the tenant.

*MR. MADDEN: Mortgagees have power of sale in Ireland, as in England; but, as a matter of fact, in Ireland sales of mortgaged estates are usually carried on in the Land Judges' Court.

MR. CHANCE: I do not think the majority of the Committee understand that there is nothing whatsoever to prevent the mortgagee going into the streets and selling an estate piecemeal if he chooses to the first man he meets. It must not be supposed there is anything in the Irish law which compels a first mortgagee to go into the Chancery Division. The mortgagee can sell to the tenant or to any one else. Neither in the Act of 1885 nor in this Bill have the Government attempted to interfere with the right of the mortgagee to sell if he likes, by private contract, to the tenant; but they say to the tenant, "If you are wicked enough to buy from the mortgagee we will not give you any money." They deprive the mortgagee of the market which is afforded by the Ashbourne Acts, and which, as everyone knows, is practically the only market in Ireland, and they say to the tenant, "We shall only give you this money if you deal with the landlord and the landlord only." Nothing could be more unreasonable than that. The result has been that mortgagees have failed to realise. I do hope there will be greater attention paid to this subject than has been paid to it hitherto.

(11.57.) MR. KNOX: I beg to support the Amendment of my hon. Friend, which I think is one of capital importance. I feel that all hon. Members will agree that the cases in which sales are most desirable are the cases of encumbered estates. Practically at present, in the case of mortgaged estates, the tenants cannot buy unless the landlord is willing to sell. I confess I do not feel very much sympathy with the mortgagee in most instances. I should not much mind if he did lose something; but it is hard on the tenant that he should not be able to buy directly from the man who is really the owner of the estate. The mortgagee has the power of sale. He can sell to the tenant if the tenant has in his pocket the money to buy with, but the tenant cannot get an advance from the State to buy from the mortgagee, though he can if the sale is from the landlord. I think that is an unjust state of things. It is undesirable in the interest of land purchase that sales should be prevented in those cases in which the interest of the State most requires that the landlord's interest should be bought out.

(11.59.) MR. M. J. KENNY: It is true that for many years past private investors have ceased to invest in Irish land, and that therefore there has been only one purchase of Irish land in the Landed Estates Court. That Court has endeavoured to effect sales directly to the tenants, and it has always encouraged sales directly to the tenants, for that purpose frequently breaking up estates into lots. Since the Ashbourne Act a different state of things has come about.

It being Midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again To-morrow.

House adjourned at five minutes after Twelve o'clock.

HOUSE OF COMMONS,

Friday, 22nd May, 1891.

QUESTIONS.

DEATH FROM VACCINATION.

MR. CHANNING (Northampton, E.): I beg to ask the President of the Local Government Board whether the Report of the Inspector of the Local Government Board, Dr. Ballard, upon the case of Emily Maud Child, who died, according to the finding of the Coroner's Jury, at Leeds, on 1st July, 1889, of syphilis acquired at or from vaccination, has been printed; whether he will lay a copy upon the Table of the House; whether the father of the deceased child has twice applied for a copy of Dr. Ballard's Report, and has been twice refused; and whether, in view of his own statement in the House on 27th February, 1890, that the Inspector had arrived at a different conclusion from that of the Coroner's Jury, he will direct a copy of the Report to be forwarded to the father of the said child?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I am not aware that the Report has been printed. It is not the practice of the Local Government Board to give publicity to the Reports of their Inspectors, which have always been regarded as of a confidential character, but I have thought it right to submit this particular Report to the Royal Commission on Vaccination now sitting, and I understand that a Report has been under their consideration and may be the subject of evidence before the Commission.

MR. CHANNING: Is it impossible to convey the Report to the persons concerned?

*MR. RITCHIE: I think so, in consequence of the action which has been taken. I shall be glad to show the Report to the hon. Gentleman confidentially.

MR. CHANNING: Will the Report be printed with the evidence before the Royal Commission?

*MR. RITCHIE: I cannot say; but I have no doubt that it will be given with the evidence.

INTERMEDIATE EDUCATION IN IRELAND.

MR. M. HEALY (Cork): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when the Board of Intermediate Education in Ireland will be prepared to supply the statistics asked for in previous questions; and also whether he can state when the decision of the Board of Intermediate Education in Ireland as to the contemplated modifications in their new rules will be announced?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I have no reason to doubt that the answer which I gave to similar questions yesterday was perfectly correct.

DESTITUTION IN THE ROSSES DISTRICT.

MR. A. O'CONNOR (Donegal, E): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will state the result of the inquiries which he promised to cause to be made during the Recess into the destitution and sickness in the district of the Rosses in County Donegal?

MR. A. J. BALFOUR: The condition of the district of the Rosses, in the County Donegal, has been receiving careful attention. There has been an epidemic of scarlatina in the locality, but the Guardians appear to be taking steps, by temporarily closing the local National school and other means, to stamp out, if possible, the disease. So far, I am happy to say, no distress has existed which would necessitate the starting of relief works in the district.

BUSINESS OF THE HOUSE.

MR. LABOUCHERE (Northampton): May I ask if the Government intend to take Supply this evening if the Committee stage of the Land Bill is finished? Although it is true that no notice appears on the Paper, there are many subjects that may be talked about before going into Committee of Supply.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I cannot enter into an engagement not to take Supply this evening if the Land Bill passes through Committee, and if we can approach

Supply within a reasonable time. Should the Land Bill be disposed of in time, the Vote on Account will be taken on Monday, and the Customs and Inland Revenue Bill at a Morning Sitting on Tuesday. On Monday Supply will follow the Vote on Account and the Budget Bill.

MR. A. O'CONNOR: Up to what hour will the right hon. Gentleman go into Supply to-night?

MR. GOSCHEN: I am unable to give any expression of opinion on that point.

MR. LABOUCHERE: Will the right hon. Gentleman say whether the Land Bill will be reprinted before the Report stage is taken?

MR. GOSCHEN: Certainly.

MR. SEXTON (Belfast, W.): As the Committee stage of the Land Bill is about to close, I desire to learn whether the Amendments agreed to in Committee and the new clauses will be inserted in the reprinted Bill so as to allow Members reasonable time to consider it before the Report stage?

MR. A. J. BALFOUR: The Bill, as amended in Committee, will be reprinted as soon as possible.

MR. SEXTON: I presume that a sufficient interval will be allowed to elapse to enable hon. Members to consider the Bill as amended before the Report stage.

MR. A. J. BALFOUR: Yes, Sir.

MR. GOSCHEN: There will certainly be a reasonable interval.

MR. H. H. FOWLER (Wolverhampton, E.): On what day, supposing the Land Bill passes through Committee to-night, do the Government propose to take the Report stage, and will they introduce the Education Bill before the Report stage?

MR. GOSCHEN: I cannot make any declaration with regard to the Education Bill, but I think that I may say that the Report stage of the Land Bill will be taken on Monday week, June 1, at the earliest.

MR. H. H. FOWLER: What business do the Government propose to take on Thursday and Friday?

MR. GOSCHEN: Before answering that question I should like to consult with my right hon. Friend the First Lord of the Treasury, who will be in his place early in the week. I may say, however, that on Thursday it may be necessary for us to take the Newfoundland Bill.

ORDERS OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

New Clause (Advances in the case of sales by mortgagees,)—(*Mr. Chance,*)—[see page 878] brought up, and read the first time.

Question again proposed, "That the Clause be now read a second time."

(3.45.) MR. CHANCE (Kilkenny, S.): The right hon. and learned Gentleman the Attorney General for Ireland took exception to this new clause principally because under it the Land Court would not be in a position to control the sales made by a mortgagee under his power of sale. But, as I pointed out last night, the mortgagee is entitled to sell without the intervention of any Court, and a tenant, if he purchases from a mortgagee, should not be in a worse position than if he purchased from a landlord. I should think that the law is sufficiently powerful to punish a mortgagee who makes a reckless and improvident sale to a tenant. The same state of things exists in England, and the law is stringent enough to protect the landlord from an improper sale by the mortgagee; the Irish Law is precisely the same; but I am quite ready to meet the views of the Government by assenting to the introduction, into the proposed new clause, of words which will limit the operation of the clause to cases where the Commission considers the sale to be a fair one. The Landed Estates Court is no longer what it primarily was, a Court for the sale of land, but is a Court for the management of land, the appointment of receivers, and bringing to the assistance of the landlords powers which were never intended to be employed in cases where a sale was intended. I know of cases in which estates have been allowed by landlords to remain in Court unsold for seven, eight, or nine years, and the

landlords have deliberately refused to put in their title, simply because if they had done so the receivers appointed by the Court would have had greater powers than the land agents. I am sure the right hon. Gentleman will admit that that is not a proper function for the landlord to enjoy, and that it constitutes a great hardship upon the mortgagee to compel him to have recourse to an antiquated, expensive, and exceedingly cumbersome mode of procedure, which was established at a time when State-aided land purchase was unknown, and which the Landed Estates Court was instituted to get rid of. I am aware that there is an earlier Act—the Act of 1885, I think—which enables sales by the Land Judges to be treated as sales by the landlord, but that clause is inoperative if the landlord objects. At first sight it might appear that that Act would carry out the object I have in view, but unfortunately that Act contemplates that the whole of the amount advanced by the Government and the guaranteed deposit shall be at once forthcoming. The Land Judges have only power to sell for cash, and the owner might refuse to permit a sale, no matter how high the price may be, if a certain portion of the payment was deferred. I submit, therefore, that some amendment in the direction of my new clause is necessary.

(3.55.) MR. MACARTNEY (Antrim, S.): The position of the mortgagee is precisely similar to that of the Irish landlord. Both have invested their capital in the same way, but from certain circumstances the estate is not marketable. Then why should you pick out the mortgagee and give him a market which the landlord does not possess? As a matter of fact, the mortgagee is in a position, if he chooses to accept the responsibility upon which he lent the money, to become the landlord in law as he is in fact, and proceed to the sale of the property. I cannot see why we should give any additional advantage to the mortgagee and create for him a market which does not at present exist.

MR. CHANCE: My Amendment does not propose to give the mortgagee anything beyond what is given to him under the Ashbourne Acts.

MR. MACARTNEY: I understood that the object is to put the mortgagee in the position of the landlord.

MR. CHANCE: No; that is not so.

MR. MACARTNEY: Then, in that case, this clause is unnecessary.

MR. CHANCE: The position is a perfectly simple one. The clause gives no additional power to the mortgagee. It is only when a tenant buys from the landlord that an advance can be made, and my object is to give the same power to the tenant if he buys from a mortgagee.

MR. MACARTNEY: There is very little difference between the two. What I object to is the short cut. I do not see why a short cut should be made in favour of the mortgagee, whereas the landlord is left without any compensating advantage whatever.

(4.0) MR. SHAW LEFEVRE (Bradford, Central): I think it is very desirable that the Government should do something in the direction of the clause moved by my hon. Friend, in order, if for nothing else, to facilitate the sale of the enormous number of estates now in the Landed Estates Court. The clause, as at present drawn, may not be altogether satisfactory, but I think it is desirable to do something to facilitate the sale of estates to tenants. Some time ago I moved for a Return, from which Return it appears that there are no less than 2,500 separate estates in the Landed Estates Court awaiting sale. Although it is true that a small number have been sold to tenants, the great body are awaiting sale because there is practically no market for them, and all parties concerned are placed in a position of great difficulty and inconvenience. It therefore appears to me that in the interests of the Bill itself greater facilities should be given for dealing with these properties. At present I do not find that the Bill gives any greater facility for the sale of estates than is given by the Ashbourne Acts. What I understand my hon. Friend the Member for Kilkenny (Mr. Chance) to desire is that the mortgagee should have the power of negotiating with the tenant without an absolute veto on the part of the landlord; and I believe he would not object to the arrangement being subject to the supervision of the Land Court. It seems to me that the

Government might to a great extent facilitate the sale of estates by taking some step in this direction. If time permitted I could give cases showing the great hardship which has arisen from the delay which now takes place; but I will not detain the Committee by entering into them at present.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*(4.8.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I wish to point out shortly to the Committee the precise scope of this new clause. The hon. Member who has moved it admits that in its present form it requires modification.

MR. CHANCE: No; what I say is that I am willing to accept any reasonable modification.

MR. MADDEN: But even if it were modified it would not carry out the wishes of the right hon. Gentleman the Member for Bradford (Mr. Shaw Lefevre). The present position is this: A mortgagee in Ireland has the same power of sale as a mortgagee in England. But a mortgagee in Ireland resorts to the Land Court, in a vast majority of cases, for sale. The Land Court is able to give an indefeasible title, and thus to secure higher prices than would be obtained at private sales. This is considered to be more than equivalent for the necessary costs and expense of carrying the sale through the Court. For the very purpose of meeting the considerations which seem to press on the mind of the right hon. Member for Bradford, the Legislature has given to the Land Judges the power of the landlord, and thus sales are constantly carried out by the Land Court under the provisions of the Land Purchase Acts. The cases in which first mortgagees exercise the power of sale are extremely rare, and in those cases some protection is certainly required against the action of the mortgagee in the interests of all persons concerned. The matter is one which requires grave consideration, and if the suggestion of the hon. Member for Kilkenny of putting the matter under the control of the Land Commission, is to be adopted, it could only be dealt with by a carefully drawn clause; but any suggestion which may be made will receive the attention of the Government.

MR. CHANCE: My contention is that the Judges of the Landed Estates Court will have no power to carry out a sale where any portion of the guaranteed deposit is retained.

(4.15.) MR. T. M. HEALY (Longford, N.): The question which has now arisen is one of the greatest importance. One-third of the Irish estates are in the Court of Chancery—if not one-third in value, certainly one-third in area. At present the whole of these estates are tied up in a knot, and there is no means of securing their sale under the provisions which regulate the Landed Estates Court. I quite agree that it is possible to give to the mortgagees powers which might work with injustice; but we all know that the landlord is the mere bailiff of the mortgagee, and that being so, I think it is unnecessary to discuss the question of hardship. The hardship lies in the nature of the thing, and is not the invention of my hon. Friend. It is therefore useless to discuss the hardship which the position of the mortgagee inflicts upon the landlord. Before considering what effect the passing of the Land Department Bill may have, I think the Government ought to announce what line they propose to take in the matter. We are dealing with one third of the land question of Ireland by this clause, and I do not think it is right to stave it off by telling us that it is to be dealt with in the Land Department Bill. I sincerely trust that between this and the Report, the Government will seriously consider the matter, and announce what they propose to do.

(4.18.) MR. M. HEALY (Cork): I fail to see that there is anything in the clause of my hon. Friend which gives new powers. It will not enable the mortgagee to do anything which he could not have done before the Bill passed into law. The power of the mortgagee to sell has always existed from time immemorial. In the first place, he could throw the estate into the Court of Chancery; secondly, he could enforce a sale without going into Chancery; and, lastly, it has been considered desirable to confer this power upon him without any special statutory enactment. Therefore, there are powers which enable the mortgagee to do the very thing this

clause seeks to do, and which it is now contended that a mortgagee ought not to be able to do. As a matter of fact, a mortgagee can do anything a landlord can do. Unfortunately, the tenant is in a different position, when he is dealing with a mortgagee, from that which he is in when dealing with a landlord. Where a mortgagee is concerned the Ashbourne Acts step in and say, "We will not assist the tenant," and the Attorney General now intimates that that is the deliberate policy of the Government for fear that the land may be sold too cheap. The existing state of the law compels an appeal to the Landed Estates Court, so that a higher price may be obtained than the landlord would get for the property otherwise. Hitherto Irish estates have been sold to land jobbers without mercy—many estates having been sold for six or seven years' purchase. In such cases the Judges of the Landed Estates Court have not felt it their duty to step in and interfere. Formerly, the policy was to get rid of encumbered estates, and the Court got rid of them, no matter what the sacrifice might be. But now, when all that state of things is to be changed, and the estates are to be sold not to land jobbers, but to tenants who desire to acquire the freehold of their holdings, the Land Judges are to step in and say they will not permit the estates of the Irish landlords to be sacrificed, but must require that the price to be paid shall be fair to the landlords. Now, I maintain that it is no part of the business of the Land Judges to raise the price of land, and it is an abuse of their functions to declare that no sales are to take place, but that the Court must stand adjourned, which is the stereotyped announcement week after week, land sales having fallen into a state of stagnation. The Irish people are sick of the Landed Estates Court, and the Government ought not to keep it up as a barrier in the way of land purchase. The English landlord has no Estates Court to step in between him and his creditors. If an English mortgagee takes proceedings against a landlord there is no Court in this country to step in and say that a sale shall not take place unless what is considered to be a satisfactory price is given. Why then should such a state of things exist in Ireland, where the whole of your policy is that sales shall take place, and the land become vested in the Irish tenantry? I hope the Government will decide upon dealing with this important question, and I believe my hon. Friend who moved the clause will have no objection to a provision giving power to the Commission to see that nothing inequitable is done.

*(4.25.) MR. MADDEN: The 17th clause of the Land Department Bill will probably effect what hon. Members opposite desire with reference to the question of the landlord's consent to the retention of the guarantee deposit. The clause reads—

"Notwithstanding anything in any of the Land Purchase Acts, in every case of an advance under the said Acts made by the Land Department to a tenant who is purchasing his holding, the Land Department shall, subject to the provisions of this section, retain a guarantee deposit out of the advance made."

The Government are prepared to introduce that clause into the present Bill. It would make the retention of a guarantee deposit obligatory, whether the landlord consented or not.

MR. T. M. HEALY: How about Clause 25?

*MR. MADDEN: That is a totally different matter from the guarantee deposit.

MR. CHANCE: I do not think that the effect of Clause 17 of the Land Department Bill would be what the right hon. and learned Gentleman supposes. The landlord would still have the power of objecting to a sale on any but absolutely ready-money terms; consequently that clause would not remove, in the slightest degree, the difficulties which now exist in connection with the Landed Estates Court. The Government must admit that the landlords whose estates are disposed of in the Land Court are for the most part ruined and wrecked absentee landlords. It is not denied that there are now one-third of the Irish estates in the Land Court, and the Government announce that it is their deliberate policy to keep these wrecked and ruined landlords there unless they are sufficiently bribed to dispose of their estates and the money is sweated through the hands of persons who are not entitled to any part of it. The Bill ought not to be called a Purchase of Land Bill, but a Bill to enable landlords to sell their estates for prices higher than they could get otherwise.

(4.30.) MR. MAC NEILL (Donegal, S.): Until 11 years ago, the sale and purchase of land in Ireland was free; and for the first time Judge Flanagan, 11 years ago, began to obstruct land purchase by declining to permit free sale. He was rewarded for taking that course by being made a member of the English Privy Council—a most unusual course of procedure on the part of the Government.

*MR. MADDEN: I regret that the hon. Gentleman should have allowed himself to make such a charge against a man in the position of Judge Flanagan, one of the most eminent of the Irish Judges. He says that Judge Flanagan obstructed the free sale of land in the Landed Estates Court, and that he was rewarded for so doing by being made a Privy Councillor. Fortunately Judge Flanagan needs no vindication from any one; but, at any rate, I may unhesitatingly and emphatically contradict the accusation.

MR. MAC NEILL: I say again that Judge Flanagan was the first person, in my recollection, who obstructed land purchase, and, what was a most unusual course, he was made a Member of the English Privy Council.

THE CHAIRMAN: Order, order! I hope the hon. Gentleman is not going to pursue that topic, which has really nothing whatever to do with the Amendment before the Committee.

(4.35.) MR. T. M. HEALY: With regard to Judge Flanagan——

THE CHAIRMAN: Order, order! The question before the Committee is that the clause be now read a second time.

MR. T. M. HEALY: I am of opinion that the attitude taken by the Government is most unreasonable. The Landed Estates Court of Ireland is a pure excrescence. It is absolutely unnecessary, and the whole of its business could be managed by a clerk. When the estates of Lord Gort—said to be worth £500,000—were sold for £50,000, his lordship is reported to have said that he did not mind being ruined but, alluding to Judge Hargreave, he added that he did object to being wrecked and ruined by a dwarf in a garret. I hope that the Government will introduce Clause 25 of the Land Department Bill into this Bill.

(4.40.) The Committee divided:—Ayes 40; Noes 82. — (Div. List, No. 241.)

(4.52.) MR. CHANCE: I beg to move the new clause standing in my name. I do not suppose the Government will find any difficulty in accepting it.

New Clause—

(Amendment of 50 and 51 Vic., c. 33, s. 20, as applied to advances under this Act.)

"In the application of section twenty of 'The Land Law (Ireland) Act, 1887,' to advances made under this Act, the said section shall be construed as if the words 'two and three-quarters,' were substituted for the words 'three and one-eighth,'"—(*Mr. Chance,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."—(*Mr. Chance.*)

(4.53.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I should have no objection to a clause in the sense of that moved by the hon. Member, although I cannot consent to the terms of his proposal. I could accept it if the word "three" were substituted for the words "two and three-quarters."

MR. CHANCE: Then, if the Committee will read the clause a second time, I will make the alteration in it the right hon. Gentleman suggests.

Question put, and agreed to.

Amendment agreed to in the proposed clause to omit "two and three-quarters," and insert "three."

Clause, as amended, added.

(4.54.) MR. M. J. KENNY (Tyrone, Mid): I trust the Government will see their way to accepting the clause I now rise to move, because, as we have had occasion to point out from time to time during the discussions in Committee, there is a serious defect in the Bill. If it passes in its present form, a large number of people who occupy as sub-tenants will be excluded from the operation of the Act. The condition of the sub-tenants in Ireland has been the subject of a great deal of litigation. It has led to a great deal of violent discussion, and the position of the sub-tenants is at the present time extremely anomalous. If the Bill comes into operation without such an Amendment as this, a man who holds, say,

100 acres of land which he has sub-let to five or six sub-tenants, will be able to purchase the whole of the land which they are farming as *bonâ fide* agricultural tenants. The tenants will continue to be tenants, and no one but the purchaser will reap any benefit from the purchase. What I propose is that the sub-tenants of any tenant purchasing shall themselves be entitled to purchase on the same terms or on such terms as the Land Commission think proper. The middleman, as a rule, is a person who has sub-let for the purpose of avoiding the hard work of farming and for the purpose of living on the profits derived from the land. The sub-tenants are mostly rack-rented, and I certainly think they are entitled to some measure of relief. I do not know how many of these sub-tenancies there are in Ireland, but I believe there are some 30,000; and if 30,000 tenants are to be excluded from the operation of the Bill, I think it is a serious matter, and one which well deserves the attention of the Government. If the Amendment is not now accepted, it will in process of time become necessary to adopt it for the purpose of bringing the sub-tenants within the operation of the Bill.

New Clause—

(Sub-tenancies.)

"When a tenant agrees to purchase his holding, but is not in occupation of the entire of such holding by reason of having sub-let a portion or portions thereof, the Land Commission before sanctioning the sale shall cause notice of the intended sale and the terms and conditions attaching thereto to be served in the prescribed manner upon all persons in occupation as sub-tenants of such proposed purchaser; and if, within twenty-one days from the date of the notice aforesaid, such sub-tenants, or any of them, signify in writing to the Land Commission their willingness to purchase their sub-tenancies on the terms and conditions specified, the Land Commission shall proceed to apportion the purchase annuity in due ratio between the various parties in occupation of the holding, and shall then proceed in the usual manner to carry the sale into effect by means of vesting orders:

(a.) Where any sub-tenant does not avail of the foregoing provision, the sale shall be carried into effect as if this sub-section had not passed.

(b.) This sub-section shall only apply where a sub-tenancy is used as a bonâ fide agricultural holding,"—(*Mr. M. J. Kenny,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."—(*Mr. M. J. Kenny.*)

(4.57.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I think the Committee will see that the clause runs counter to the policy universally and unanimously accepted in all these questions of fair rent and land purchase. The State proposes to lend money to enable landlord and tenant to come to an arrangement to sell and buy respectively, and to accept this clause would be to adopt a new principle. A hardship would be inflicted on the landlord by requiring that his fifth should be divided into fragments corresponding with the fragments into which the holding is divided, and it would obviously be unjust to compel him to stand surety for people with whom he has nothing to do, and who never became occupiers by his consent. But quite apart from the question of injustice to the landlord, there is the deeper question of policy, which of itself would form a sufficient reason for rejecting the clause. The Committee is aware that for many years one of the gravest difficulties in the agrarian condition of Ireland has been in connection with sub-letting, and I cannot imagine a more direct incitement to the practice of sub-letting than a clause of this kind.

MR. M. HEALY: They cannot sub-let without the consent of the landlord. It is forbidden.

MR. A. J. BALFOUR: For many years the tenants have been able to exercise the power of sub-letting.

MR. M. HEALY: Since 1881 it has been illegal, and a sub-tenant under an illegal sub-letting is a trespasser.

MR. A. J. BALFOUR: That may be so; but my point is that a landlord should not be asked to be responsible for a tenant who is not his tenant.

MR. M. J. KENNY: The landlord must have allowed the sub-tenants to take the land.

MR. A. J. BALFOUR: Possibly; but why should a present landlord be punished because an ancestor may have been lax in dealing with the question of sub-letting? It is contrary to the policy of our land legislation in Ireland to encourage sub-letting, therefore I cannot accept the clause.

(5.0.) MR. T. M. HEALY: The right hon. Gentleman seems to have forgotten the Act of 1888, and cannot know the effect of what he has just stated. In that Act it is provided that where the Land Commissioners shall sanction an advance for the purchase of a holding that is let and held subject to sub-letting, they may prescribe such terms as to the part sub-let as they think fit. That clause was intended for the benefit of the labourers; but the Land Commissioners, to my astonishment, have construed the clause to mean terms as to rent only, and not as to tenure. My hon. Friend has proposed this clause in order to remedy that state of facts, and to put the labourers and sub-tenants on the footing which Parliament intended for them under the Act of 1888. I think we are entitled to ask the Government to carry out the intention of the Legislature. Under the Ashbourne Acts no sub-letting can take place. If there is a sub-letting without consent under the Act of 1881, the tenant cannot get a fair rent fixed. That being so, we now ask for some protection for the immemorial tenancies which have existed in Ireland for scores of years—it may be, for centuries. The Government say they will not encourage sub-letting. How will this clause encourage sub-letting? It will only deal with sub-lettings made with the consent of the landlords which have become encrusted, so to speak, in the lease. The sub-tenants can get a fair rent fixed against the middleman, but the middleman cannot get a fair rent fixed against the landlord; but he can buy under the Ashbourne Acts, and so defeat the sub-tenants, whose rights have been recognised by the Land Act as the superior rights in the transaction. That seems to me one of the most remarkable developments of British law in Ireland that we have seen for a long time, and I ask the Government if the state of things is one they wish to allow to continue. In old leases there never were clauses against sub-letting—in fact, the landlords encouraged it. The tenants of such land can get a fair rent fixed. But now, under the Ashbourne Acts, the position is the exact converse. Under the Act of 1881 the sub-tenants' position was the superior position. Now it is the middleman who is enabled to sell and buy, whilst the tenant, who has a right to get a fair rent fixed, has not a right to buy and sell. This seems to me to be an absolutely grotesque state of things. Formerly we used to hear the landlords, supported by the Tory Party, thundering against the middleman, and saying that the small men, the men on the soil, were those who should be considered, and now they turn round and take the contrary view. If the Government cannot accept this clause, surely they cannot allow the situation to remain as it is. I challenge the Attorney General for Ireland to say that the position is satisfactory. The case seems to me to be so strong that it has only to be stated to show the absolute necessity of having something done.

(5.8.) MR. A. J. BALFOUR: It appears that there are two errors into which hon. Gentlemen opposite have fallen, and on those two errors they have based the whole superstructure of their arguments. I admitted, or allowed it to be inferred, that sub-letting is possible in Ireland. Gentlemen opposite say that sub-letting has become illegal since the Act of 1881. They are entirely wrong. All the Act of 1881 does is to prevent sub-letting where the rents are fixed.

MR. M. J. KENNY: No; sub-letting under the Act of 1881 is illegal except with the consent of the landlord.

MR. A. J. BALFOUR: Yes, but the point is that sub-letting has been going on up to this time.

MR. M. HEALY: In the case of leaseholds.

MR. A. J. BALFOUR: The hon. Gentleman told us in so many words that sub-letting could not go on. I have shown that in one of the most important classes in Ireland that is totally untrue, and all he does is to alter the position he took up, without in the least affecting my arguments.

MR. M. HEALY: I am really amazed at the right hon. Gentleman, and I venture to think that he does not understand this question. He says the Amendment would encourage sub-letting, meaning that it would do so after it had become law. How can sub-letting go on after the passing of this Bill? Take any case you can take. Take the case of the tenant purchaser. He is expressly prohibited from sub-

letting. Take, next, the case of the ordinary tenant. He has been prohibited from sub-letting since the Act of 1881. Take, next, the case of the leaseholders. They were admitted to the benefits of the Act of 1887, and, of course, nine-tenths of them took advantage of that Act; and every-one who did became prohibited from sub-letting. Therefore, the number of cases in which sub-letting could take place after the passing of this Bill into law would be infinitesimal, and not by any means sufficient to furnish an argument against the proposal of my hon. Friend.

MR. A. J. BALFOUR: The fact remains that, as I have stated, this sub-letting may go on as at this moment without the consent of the landlord. Sub-letting is an evil which ought to be guarded against, and anything that would encourage sub-letting ought not to have our support.

(5.14.) MR. M. HEALY: Does the right hon. Gentleman really suggest that because sub-letting may go on in an infinitesimal number of cases we are not to deal with the cases of sub-tenants at all? The right hon. Gentleman says the Amendment obliges the landlord to become guarantor for a sub-tenant. May I ask under what part of the Amendment that is so? I do not know what my hon. Friend intended, but I cannot see that such an operation arises under his Amendment. I take it the operation will be this: that when a man who occupies the position of a middleman having sub-let to agricultural tenants proposes to purchase, the Land Commission will say to him, "You are in the position of landlord to these sub-tenants, and our business is not to assist middlemen to buy, and, therefore, we compel you to agree to sell to the sub-tenant." The Commission will insist that the sub-tenants shall have a share in the benefits of the Act. In the case of each sub-tenant there will be a guarantee deposit to meet a case of default, and this would be furnished not by the landlord, but the middleman. I would press this Amendment upon the Government as really worthy of their attention. I thought we were all at one in the desire not to encourage the *status* of the middleman, and I am amazed that the Chief Secretary does not assist in the endeavour to get rid of the middleman. In his Land Department Bill the right hon. Gentleman proposes to do the same thing this Amendment proposes to do, and to squeeze out the middleman on such terms as the Land Department may fix—to force a compulsory sale of all the interests concerned—and I am, therefore, at a loss to know why the right hon. Gentleman objects to this Amendment, which is intended to secure the benefit of the Bill to the occupying tenant.

(5.20.) MR. SEXTON (Belfast, W.): I do not think the right hon. Gentleman has made out a good case against the Amendment of my hon. Friend. It appears to me the Amendment is the necessary complement of the step we have already taken. We have already enacted that a sub-tenant may have a fair rent fixed, and by thus admitting his *status* as tenant we recognise his right to share in the full development of this legislation. The Amendment naturally follows upon what we have already done; and if it is not accepted, much of the evil attending the present conditions of agrarian life is left untouched, and left to survive in one of its most acute forms. For the sake of symmetry in the measure, if for nothing else, the Amendment should receive a favourable reception. The objection of the right hon. Gentleman, that the Amendment will not meet the case of labourers, is one to which we have a sufficient answer ready. If he is willing that the Amendment should include the case of the labourers, we will co-operate with the right hon. Gentleman in widening the provisions of the clause for that purpose. It will be observed that the next Amendment, in the name of my hon. Friend the Member for East Donegal (Mr. A. O'Connor), deals specifically with the condition of labourers, and the intention of that Amendment may be incorporated in the present proposal if the right hon. Gentleman desires; but do not let him assign this as a reason for refusing the Amendment. With regard to the encouragement of sub-letting, that case can be completely met by the suggestion that we should confine the clause to sub-letting actually in existence at the time of the passing of the Act. Then as to the objection that a landlord would be made responsible for persons whom he did not admit to the land, I think it

may be said that the sub-tenant is really admitted with the consent of the landlord, and he is therefore morally responsible. Moreover, my hon. and learned Friend the Member for Cork has argued, and I am not qualified to follow him in his legal argument, that if the clause becomes part of the Act, the guarantee deposit in respect to each sub-tenancy will be provided not by the landlord, but the middleman; and if that be so, there is no force in the objection as to the responsibility of the landlord. The liability of the landlord is half of the fifth of the purchase money in case of default, and the real security to the State is the value of the holding, and with the decision of the Land Commission upon this point the advance upon a sub tenancy will relatively be as safe as an advance on a tenancy. I am disposed to think there is nothing in the objections of the right hon. Gentleman to lead us to suppose that the Amendment is not worthy of our consideration.

*(5.27.) MR. MADDEN: I think it has been admitted that the criticisms of my right hon. Friend in regard to subletting are well founded, by the suggestion that the clause should be restricted to cases where sub-letting has already taken place. We know that since 1881 sub-letting has gone on to a considerable extent. I recognise the force of the suggestion thrown out that the clause might be confined to sub-lettings before the passing of the Act, and therefore the evils alluded to would not arise. But there are very serious matters in connection with this clause to be considered. I have ascertained what is the course usually taken in connection with a sale when a tenant has sub-let. The Land Commission consider, and rightly consider, that the whole scope of the Purchase Act is to facilitate sale to the occupying tenant. When a tenant comes before the Land Commissioners, if they find that there is a substantial sub-letting, such as is contemplated by this section, to a *bonâ fide* agricultural tenant, they are rightly of opinion that he is not an occupying tenant within the meaning of the Act, and many cases have been rejected by the Commission on that ground. I am informed that in many of those cases the difficulty is solved by the landlord taking over the sub-tenant as his immediate tenant, and the sale is carried out on this basis. Having looked carefully into the matter, I am bound to say that the clause is open to the second criticism of my right hon. Friend, and, as I view it, the clause would be unworkable, or could only work with injustice towards the landlord, splitting up his guarantee deposit into portions, and making it security for persons who may have become tenants of the land without his consent.

(5.32.) MR. M. J. KENNY: The Attorney General thinks there is risk to the landlord's guarantee, but that is really imaginary. With the advantage of extending land purchase among small occupiers, there is the additional security of the liability being divided over a number of *bonâ fide* agricultural tenants, who in nearly every instance will have created a tenant-right of their own, thus presenting an additional security. We know as a fact that subletting has been dying out since 1881. Prior to the passing of the Act of 1881, and when agriculture was prosperous, tenancies were often sub-let at extortionate rents; but since the passing of the Act, the sub-tenants have gone into Court and have had fair rents fixed, and there is no longer the inducement to sub-letting there formerly was. But the objections raised can be met by restricting the clause to sub-lettings before the passing of the Act. I am not wedded to the particular form of the clause. I am willing to accept any Amendment if only I can carry out my intention that subtenants to the number of, perhaps, 30,000 may come under this Act. I think the Chief Secretary might consider the suggestion a little more seriously, for it is a question that must certainly come up again if he disregards it now, and it must ultimately find a remedy in the direction of my proposal. There is now an opportunity of finding a remedy and of avoiding that hasty and ill-advised legislation which requires amendment in the following year, to which Lord Salisbury alluded the other day at Glasgow. Nothing has been said to induce me to withdraw the clause, and I shall press it to Division.

(5.40.) MR. MAC NEILL: If the Government reject this proposal, I do

not think they can continue to make their loud professions in favour of creating peasant proprietors in Ireland. My hon. Friend, I think, underestimates the number of sub-tenants his clause would affect. I think the number is nearer 40,000 than 30,000, representing with their families probably a population of 100,000, to whom the arguments in favour of this Bill apply with greater force than to any other class. The objection is founded on the prejudice there might possibly be to the landlord's interest; but let me remind the Committee that this is ostensibly a tenants' Bill, whatever it may be in reality, and the tenants have claims to be recognised. The middleman will have the right to purchase under the Bill, and he acquires the position of landlord to the sub-tenants, and then, by the duplication of machinery, the tenants may have advantage of the Act possibly; but to avoid this double proceeding, and to assist the harmonious working of the Act, we ask the right hon. Gentleman to accept this proposal and weigh, on the one hand, the possible prejudice to the landlord's interest with the undoubted injury to the interests of some 40,000 sub-tenants on the other.

(5.45.) MR. M. HEALY: It is scarcely fair to make it ground for rejecting an Amendment proposed by a private Member that his proposal is not perfect. It is not to be expected that a Member can present an Amendment to a Bill like this that shall not be free from flaw. Enough that he indicates a blot in the measure; and if his remedy is not perfect, let the Government take up the duty of repairing an omission in their original proposal. I do not think that any Member will dispute that the clause does deal with an admitted grievance that must ultimately be met. There is no desire on the part of anyone on these Benches to favour the middleman—our interest is for the occupying tenant. Now, the question of sub-letting has been raised as one of the evils of Irish agricultural life; but everyone who has experience knows that the practice of sub-letting has well-nigh ceased, and it is the practice of sub-division of farms among members of a family that has to be deplored. Whatever may have been the case 80 or 90 years ago, sub-letting has now ceased to be a danger that the Legislature need take into account. It is a curious thing that while the law deals severely with sub-letting, which has ceased to be an evil, it does not deal with sub-division at all. While a man imposes upon himself the severest penalties by sub-letting, excluding himself from all sorts of rights, under the Land Act, sub-division does not exclude him from the Act of 1881. Such has been the decision of the High Court in Ireland. Now, if a man by sub-letting creates certain rights for his sub-tenants, he will think twice before he creates such rights. The hon. and learned Gentleman has, practically, admitted our point, namely, that there is a case which is altogether unaffected by the Purchase Act—the case of the middleman who has under him agricultural tenants, who, as we say, have a right to be considered. He tells us that according to the present practice the Land Commission do consider such cases, and refuse assent to a purchase by any middleman unless he comes to an arrangement with the sub-tenants. Well, then, if such a practice exists, why should there be any refusal to confer upon it the sanction of the law? As to the mere details of the clause, I am sure that my hon. Friend will not hold to them if any method can be suggested for rendering the clause more workable; and if there is a strong objection to compelling the landlord to stand surety for the sub-tenant, the proposal can easily be so modified as to obviate that objection. As the Bill stands at present, there is nothing to impose conditions as to the sub-tenant when he goes before the Land Commission to purchase. Why should the Bill not provide that the middleman shall not get the benefit of the Act unless he is prepared to give due consideration to the sub-tenants?

MR. T. M. HEALY: I hope at any rate the Chief Secretary, if he is not prepared to adopt this clause at the present moment, will, at least, seeing that he has admitted that there is a grievance, which, in point of practice, is now taken into consideration, promise to consider the matter between now and the Report stage.

MR. A. J. BALFOUR: I cannot offer the hon. Member any pledge that the Government will deal with this question on the Report.

(6.0.) The Committee divided :—Ayes 45 ; Noes 96.—(Div. List, No. 242.)

(6.10.) MR. A. O'CONNOR (Donegal, E.): The clause which I now beg to move has been drafted for the purpose of making use of the occasion which the Bill offers to do something for the agricultural labourers of Ireland, a large and long-suffering class. As the farmers have been rack-rented, so they have rack-rented the agricultural labourers, the hardships of whose conditions are grievous in the extreme. The cabins these men inhabit are, as the Chief Secretary has observed in his visit to the West of Ireland, wretched, and not fit for human habitation. There has been for a number of years past a stream of emigration going on between Ireland and the other side of the Atlantic which has been a constant drain of the best peasantry of Ireland. Something has already been attempted on behalf of the agricultural labourer, but it has not proved of much use. By Section 19 of the Act of 1881, the Court was enabled, when fixing judicial rents, to direct the tenant to make provision for the proper housing of his labourer. But, unfortunately, that Act fails to give the labourer a *locus standi* before the Court, and as nobody can appear for him he has been unable to secure the benefit of the provision. A remedy was to some extent secured in the following year, in the Labourers' Cottages and Allotments Act, in the third section of which power is given to the Land Commission, in cases where a fair rent is fixed, to see that proper accommodation is provided for the tenants on the holdings. The labourers are given a *locus standi* before the Court. But, unfortunately, the adoption of this power, especially in the North of Ireland, is attended with considerable risk to the labourers. A farmer is able to say to the labourer, "My engagement with you expires in May or November. I shall not, after that date, have further need of your services." The consequence was that if a labourer attempted to obtain for himself a better holding or a better house he did so at the risk of losing his employment ; therefore the provision has been, to a great extent, a dead letter. You cannot expect a labourer to go into Court and apply under the section when he has reason to believe the benefit will be reaped by somebody else. It seems to me that when the landlords of Ireland are taking a sum of £30,000,000 from the Public Exchequer to enable them to obtain cash for their estates ; and when the farmers of Ireland are, by means of the same £30,000,000, being made the owners of their holdings, it is not too much to expect that something, however slight, should be done for the suffering agricultural labourer in the way of securing to him something like fixity of tenure in his small holding. I should be disposed to urge that a farmer, purchasing under the Act, should be required, for each 25 acres of arable land, to provide a holding for a labourer either on the land or in its immediate vicinity. I think the great mass of the farmers of Ireland would be willing to do it, bearing in mind the advantages they are deriving under the Bill. It must, however be admitted that farmers have not always acted very generously towards their labourers; and Boards of Guardians, which are composed of the larger farmers, have not proved to be the best Bodies in Ireland to be entrusted with the care of the interests of the labourers. Still, many Boards in Leinster and Munster have done their utmost to work these provisions for the benefit of the working classes ; and if the Government accept the Amendment, I think they will find there will be a *bonâ fide* effort to do something to ameliorate the condition of the agricultural labouring population. Of course, a tenant labourer would have to pay the price of his half acre just as much as the tenant farmer has to pay the value of his landlord's interest ; but the difficulty could be met by advancing to the tenant applying to purchase under the Act sufficient money to enable him to erect a suitable dwelling for the labourer, the cost to be made a charge on the labourers' allotment. In many cases the farmers would be able to build the cottages more cheaply than any one else. I have drawn the clause with a view to the dissimilar circumstances which prevail in different parts of Ireland. I think it would be dangerous to lay down a hard and fast rule for all parts of Ireland, and therefore I would leave it to the discretion of the Land Commissioners to decide in each particular case

according to the circumstances of the holding and of the locality. The clause itself is enabling and not mandatory, and I put it forward as the only contribution I have ventured to make to the consideration of this Bill. I appeal to the Government to accept the clause in its present form, or in a modified form, and thereby confer a boon on a class which is admittedly suffering, and which surely is entitled to some share in the boon which is being conferred on the people of Ireland with regard to the land question.

New Clause—

(Land Commissioners may prescribe terms when making an advance.)

"Where the Land Commissioners shall after the passing of this Act sanction an advance for the purchase of a holding they may prescribe such terms as they think fit as to—

(1.) Lettings for the accommodation of agricultural labourers *bonâ fide* required for the cultivation of such holdings or other holdings in the immediate neighbourhood;

(2.) The area, rent, tenure, and other terms of such lettings;

(3.) The selling or letting a portion of the holding to the guardians of the poor for the purposes of the Labourers Acts (Ireland), 1883 to 1886, and the application of the purchase money or rent received therefor,"—(*Mr. A. O'Connor,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

(6.21.) MR. A. J. BALFOUR: I am sure I agree with the desire expressed by the hon. Member that we should do what we can to improve the condition of the labourers' class, and I think we have shown that while our chief object is to promote the agricultural prosperity of Ireland we have not been oblivious of the interests of the labourers. But the clause as proposed can hardly be accepted. The hon. Member is no doubt aware that at the present moment the responsibility for labourers' cottages, in so far as it is not thrown upon the Local Authority, rests with the Local Government Board, and it would be neither desirable, nor indeed possible, that there should be a further division of responsibility, such as would result from the acceptance of this clause. The hon. Member in it proposes that it shall be left to the Land Commission to determine as to the necessities of particular neighbourhoods with regard to the number of agricultural labourers' dwellings to be erected; and later on in the clause he suggests the Local Government Board shall make a Report on the necessities of the Union and take such steps as may be necessary to acquire land for the purpose. The hon. Gentleman has reminded the Committee that under the Act of 1881 it is provided that where a fair rent is fixed it is competent for the Land Commission to determine not merely the general conditions under which the labourers required for the cultivation of the holding shall exist, but also to see that allotments are attached to their cottages. In fact, the widest powers are given them to act in the interests of the labourers; and again, under Clause 4 of the Act of 1888, there is power given to the Land Commissioners, when they sanction a loan for the purchase of a holding, to prescribe conditions as to the rent of the labourer's holding, and I am informed that the Land Commission under these powers have done much to ameliorate the condition of the agricultural labourers. I take it, it is the opinion of the hon. Member that Clause 4 of the Act of 1888 does not give such full power to the Purchase Commissioners as is possessed by the Land Court to see that the labourers are properly housed, and I gather his desire is to secure such an extension of the power under this Act. If he will withdraw this clause and move one couched in language of that kind, the Government will be glad to accept it, and I would suggest a clause of this nature—

"That the provisions of Sec. 19, of the Land Law (Ireland) Act, 1881, shall apply in all cases where an advance is made for the purchase of a holding under the Land Purchase Acts, as amended by this Act, and the powers thereby conferred on the Land Commission in regard to the determination of the rent shall be exercised by them with the necessary modification in sanctioning the agreement for sale."

MR. A. O'CONNOR: Will that secure a *locus standi* to the labourers?

MR. T. M. HEALY: I think the whole difficulty would be met if the right hon. Gentleman would accept my hon. Friend's clause minus the first and third sections. It appears to me that

these powers might be exercised from time to time. It might happen that a labourer might die or emigrate, and that another man might come in. In such a case the farmer ought not to have the power to add a patch of ground to his own homestead.

*(6.33.) MR. MADDEN: I would suggest the clause should read—

"The provisions of Section 19 of the Land Law (Ireland) Act, 1881, and the Acts amending the same, shall apply in all cases where an advance is made for the purpose of a holding under the Land Purchase Act, as amended by this Act, and the powers thereby conferred on the Land Commission in regard to the determination of rent, shall be exercisable by them with the necessary modification in sanctioning an agreement for sale."

MR. M. HEALY: I should like to point out that Clause 19 of the Act of 1881 provides no machinery for the enforcement of the orders made under it. It is perfectly plain that in whatever form we ultimately mould the clause we shall have to take care that there is machinery for enforcing the orders made.

(6.37.) MR. CHANCE: Let me remind the Committee that the whole object of the clause is to save the pocket of the county. Tenants often say to the labourers, "Go to the Poor Law Union and get them to build cottages for you." The tenants are more or less inclined to neglect their duty to the labourers, and to throw on the county the expense of doing what they ought to do. The county has to build houses, and before it can get the land to build them on it has to put in force a series of provisions under the Labourers' Act which are exceedingly expensive and slow. The legal costs under the Act amount to a public scandal. A rate of 3d. or 4d. in the £1 which is levied under the Act for the purpose of erecting houses goes very largely into the lawyers' pockets. I think that by the admission of everyone in the House, the Labourers' Acts have proved to be unworkable, owing to the expense and the cumbrous procedure. I hope the Government will see their way to get rid of the cumbrous, extravagant, and I may almost say, stupidly complicated system by which Irish tenants are induced to deliberately neglect their duty towards the labourers.

Mr. T. M. Healy

*MR. MADDEN: I think we are all agreed as to what ought to be done, and I suggest that the hon. and learned Member should confer with me, between this and Report, on the subject.

(6.42.) MR. SEXTON: I freely acknowledge the spirit in which the Chief Secretary has dealt with this subject, and I should be sorry to minimise the importance of the concession the right hon. Gentleman has made. I am inclined to suggest, however, that the right hon. Gentleman might still consider whether the operation of the Labourers' Act may not be made more easy. The general failure of the Labourers' Act is manifest, and not only that, but the causes of the failure are well-known. The system is slow, it is cumbrous and costly, and therefore it is unsuccessful. I put it to the Chief Secretary whether it is not possible to alter the jurisdiction—can it not be arranged that upon a report or representation from the Local Government Board with regard to the need of cottages, the Land Commission may authorise the sale or letting of a part of the holding, not exceeding a certain proportion for labourers' cottages? The Government have now a golden opportunity of benefiting largely the third great class, and the most numerous and the most helpless class in Ireland. The Guardians have been impeded and embarrassed in respect to the provision of labourers' cottages, partly by the unwillingness of the tenant to give land, and partly by the procedure under the Labourers' Act. The Chief Secretary will entitle himself to very special acknowledgment if he can see his way to adopt some such suggestion as I have made.

(6.49.) MR. MACARTNEY: I quite agree that the working of the Labourers' Act has not been completely satisfactory, and I hope that at some time or other the House will be able to remedy the defects. That, however, must be done by a definite Amendment of the Act now in operation, if it is to be done safely. If we attempt to introduce into this Bill machinery for the working of the Labourers' Act, I believe we shall not only complicate matters, but also place a great impediment in the way of land purchase. Tenants will not like

to negotiate for the purchase of their holdings when they are uncertain what terms the Purchase Commissioners will put on them with regard to the opportunities to be given to other agricultural labourers besides those resident on the holding.

(6.51). MR. A. O'CONNOR: I beg to withdraw my Amendment in favour of the words suggested by the Attorney General for Ireland.

Motion and Clause, by leave, withdrawn.

New Clause.

"The provisions of Section 19 of the Land Law (Ireland) Act, 1881, and the Acts amending the same shall apply in all cases where an advance is made for the purpose of a holding under the Land Purchase Act as amended by this Act, and the powers thereby conferred on the Land Commission with regard to the determination of rent shall be exercisable by them with the necessary modification in sanctioning an agreement for sale,"—(*Mr. A. O'Connor,*)

—brought up, and read the first time.

Motion made, and Question, "That the Clause be now read a second time," put, and agreed to.

Amendment proposed to the proposed new Clause, to leave out the words "as amended by," and insert "and."—(*Mr. M. Healy.*)

Amendment agreed to.

Clause, as amended, added.

(6.54.) MR. M. HEALY: I beg to move the new clause, "Sanitary Authority may purchase, under Land Purchase Acts, land taken on lease." Cases have come under my notice in which Sanitary Authorities instead of buying plots of land required by them have taken them on lease for 99 years. The Authorities become the tenant of the landlord, and the original tenant upon whose holding the plot is has no further interest in the plot. When an estate is put up for sale on which plots have been taken under the Labourers' Act, the question arises what is to be done with those plots. There may be 10 or 12 or 20 half-acre plots scattered over an estate, and let at rentals of perhaps 10s. a year. It would be distinctly inconvenient to leave them in the landlord's hands as such plots were left in the hands of Lord Shannon, after he sold his estate in Cork. I think you will be acting unwisely if you do not enable the landlord to dispose of bits of land which have been let on lease to labourers in this way.

New Clause—

(Sanitary authority may purchase under Land Purchase Acts land taken on lease.)

(1.) Where a sanitary authority has for the purposes of the Labourers (Ireland) Acts, 1883 to 1886, taken any land on lease, compulsorily or otherwise, such sanitary authority may at any time thereafter by agreement with the person in whom the lessor's interest in such lease is for the time being vested, purchase the lessor's interest in such lease and the lands held thereunder.

(2.) Where, in the opinion of the Land Commission, any such purchase if necessary for carrying into effect sales on the estate of the same landlord, the Land Commission may make advances to sanitary authorities to enable such purchases to be made in like manner as if the sanitary authority was a tenant in occupation of such holding.

(3.) The provisions of the Purchase of Land (Ireland) Acts shall apply in the case of any such advance, but the annuity by which such advance is to be repaid shall be charged on any fund or rate now chargeable with the repayment of moneys borrowed by such sanitary authority for the purpose of defraying expenses incurred in carrying the said Acts into effect. The Land Commission shall not require any guarantee deposit to secure an advance made under the provisions of this section.

(4.) The price paid by a sanitary authority for the purchase of any lands under the provisions of this section shall not exceed twenty years' purchase of the rent reserved in the lease under which the said lands are held by the sanitary authority.

(5.) An advance made by the Land Commission, under this section, in any county shall not be taken into consideration in calculating the proportion which the total advances made in such county bear to the share of such county in the guarantee fund.

(6.) Rules for carrying this section into effect shall be deemed to be rules under "The Land Law (Ireland) Act, 1881," and shall be made by the Land Commission accordingly,—(*Mr. M. Healy,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

(6.58.) MR. A. J. BALFOUR: I think the hon. Gentleman will see that if this clause is not out of order, which I assume it is not, as you, Sir, have not so decided, it, at all events, goes very much beyond the scope of the Bill. I would point out in the first place that the Sanitary Authority would, under the proposal, be a middleman. In the

second place, it can hardly be described as a Corporate Body. In the third place, though I do not suppose that the amount of money that could be used for this purpose is at present very large, I think it is inexpedient to pass a clause for the sole purpose of bringing in a new kind of purchaser—a purchaser never contemplated by the framers of the Bill, and who would not be a peasant proprietor. Under these circumstances I hope the hon. Gentleman will not press the Amendment, which I do not think is required in the interest of the labourers or of the Local Authority, and which is not much needed in the interest of the landlord.

(7.1.) MR. M. HEALY: I understand that the right hon. Gentleman is not favourable to the reception of this clause. I quite agree that it is not a large matter, and I do not desire that it shall be debated at any length. I wish, however, to point out that the amount of money it would involve is very small, and I am sorry the right hon. Gentleman does not see his way to accept it. If, however, the right hon. Gentleman thinks it right to place the landlord selling his estate in the inconvenient position of having to retain in his hands a number of small scattered plots, the responsibility rests on him.

THE CHAIRMAN: It would be necessary to alter the clause very materially to make it properly in order.

Question put, and negatived.

(7.4.) MR. SEXTON: I beg to move the clause which stands in my name. I wish to say at once, that although I have not inserted a limit in the clause, the omission has not been due to any desire to make it illimitable. If the right hon. Gentleman accepts the principle of the proposal, the date will be a matter of arrangement, and I would suggest that it should be the 1st of January, 1880. If the right hon. Gentleman accepts the principle of my Amendment, the effect will be to cover a multitude of sins, and to make public opinion in Ireland tolerant of the defects of his Bill. A heavy responsibility lies at the door of the Legislature itself. The existence in such numbers of the unfortunate class of evicted tenants is due to the fatal delay occurring from time to time in the passing of remedial legislation by Parliament. It is well known that the agitation which led to the Land Act of 1881 had been going on from 1877, at which date the evictions commenced. Intolerable suffering was caused. Many tenants were evicted because they could not pay arrears, and it was only by the Land Act of 1887 that the leaseholders were allowed to find relief in the Courts. Between 1881 and 1887 many of the leaseholders came to grief. That was the case on the Ponsonby Estate, and while these tenants were waiting for relief they were evicted. It is on behalf of these men that I have drafted the clause. Since 1887 disputes between landlord and tenant have developed, mainly owing to the refusal of the landlords to make reasonable abatements. These refusals embittered the temper of the parties and led to law costs, and though arbitration was offered in nearly every case, it was in nearly every case refused. A second cause of the number of evicted tenants is to be found in the refusal of just and necessary demands. The tenants who have been evicted within the last few years demanded nothing more than the usual abatement which had been freely given by the general body of landlords in Ireland. The clause I propose is in no way an indictment of the Irish landlords, who, as a body, have met the necessities of the situation very fairly, but an exceedingly small minority of landlords have refused all abatements. Such of the evicted tenants as have been readmitted and allowed to go into the Land Courts have had their previous resistance vindicated by the decisions of the Courts. Where there have been voluntary settlements the terms conceded by the landlords have, in every case, approximated to those demanded by the tenants before eviction. The equity of the tenants' demands has also been proved where there has been arbitration, as in the case of the Vandeleur Estate. In the clause which I propose more than the interests of tenants and landlords are concerned; the interests of good Government itself are concerned. The evictions in Ireland and the circumstances connected with them during the last 10 years have been the chief cause of the Coercion Act, the prosecutions and im-

prisonments that have taken place, and the inflated Estimates in connection with the administation of the law in Ireland. Another proof that the tenants have not made inequitable demands is afforded by the fact they have always been willing to submit their claims to arbitration. The party which declined arbitration was presumably not satisfied with the justice of its case. I hope that the Chief Secretary will not reply by saying that the evicted tenants have resorted to what some people call an illegal combination. Some of them, no doubt, have combined; but others have not, and have given their last shillings in payment of impossible rents. Those who combined did so because they were driven to desperation, and really did no more than Englishmen would do in the same circumstances. The Chief Secretary himself, two years ago, said that if he were an Irish tenant, and found the landlords combining against him, he would combine with others against the landlords. I have no doubt that those words, spoken by the right hon. Gentleman in this House, encouraged many of the tenants to take the course of action that resulted in their eviction. I trust that the Chief Secretary will not treat my proposal in a spirit of punishment—I will not say in a spirit of revenge or partisanship. I hope the right hon. Gentleman will remember that he is now a statesman dealing with a remedial measure, and that, commiserating unfortunate and suffering people, he will consent to take a course which will offer them some hope of restoration to their old homes. I ask the right hon. Gentleman to allow the Land Commission to distinguish between the great body of Irish landlords who have granted necessary abatements, and have refrained from resorting to extreme measures, and the few landlords who have acted like Lord Clanricarde, and have shown themselves to be the enemies of social order by the unwise and excessive use of their powers. Had this small minority of the landlords acted as 19 out of 20 landlords would act in times of adversity, there would never have been any occasion to pass a Coercion Act. This is demanded by the equity of the case, because for the sake of one or two years' rent men have been evicted from farms which their fathers and grandfathers cultivated, and their property has been confiscated. To facilitate the sale of evicted farms to emergency men and squatters will not only be terribly unjust to the former tenants, but will be against the interest of the State, for what security will there be that the purchasing emergency men and squatters will follow the pursuit of agriculture for any length of time? I should like to know who are these squatter tenants. They are really emergency men. They have no connection whatever with these farms; and it will be in the interest of the landlords themselves that my clause should be accepted. The security of the State will be very considerably improved. The right hon. Gentleman may say that the Land Commission are instructed to take care that the security is sufficient. What they have to do is to see that the holding itself constitutes sufficient security for the advance. But the tenant has a certain interest of his own in the holding. I may be told the Commission is not obliged to consider the tenant at all; that they have no duty cast upon them to inquire as to the stability of the tenant. That the State may be secure it is necessary that the purchasing tenants should be persons with some practical acquaintance with agriculture, and who will continue the pursuit of agriculture upon the holdings. But who are these tenants? They are grooms, ostlers, and others—mere casuals from the towns and cities of Ireland, brought in upon an emergency to assist the landlords, and of whom no record will be found upon the farms in a few years to come. There is nothing to assure us that there may not be between the landlord and the purchasing occupier an agreement by which the landlord will give the new owner a bonus, and he will be glad to disappear from the place. There is no assurance in the case of these farms that the tenants will remain, or that the annuities will be paid, and if the tenants should make default and be evicted from the holding, the consequence will be you will have to sell the farm, which is the security of the State for the advance, and you will have no one to buy it, except the landlord and the previously evicted tenant. These will be

the possible competitors, and whether the one or the other buys it will be at so much below the original purchase money that the State will be at a heavy loss in the transaction. If you recklessly enter on a sale from the landlords to these men who are not agriculturists in any sense of the word, you deliberately imperil the security of the State, and when loss arises you will not be able to say we did not warn you against the possible consequences of your action. I venture to speak even on behalf of the landlords and say it is to their interest that this Amendment should be accepted. They may desire in some cases to sell to emergency tenants, but there are few landlords, if any, who have "planted" the whole of their estates. In most cases only a small part of an estate has been so planted with emergency men, and I think the hon. Member for South Hunts (Mr. Smith-Barry) will agree that if a landlord sells part of his estate to these planters that will tend to discourage sales to other tenants. The original tenants who remain on the estate will deem it a point of honour and duty not to co-operate for the purpose of purchase with these emergency men; and if the landlord Representatives are so wanting in discretion as to oppose this clause, they will find in the result that they have inflicted an injury upon their own interests and have raised an insurmountable barrier to the sale of their estates. In the interests of peace I press this Amendment, and I ask the right hon. Gentleman to consider this: If the farms are sold to these emergency men who are strangers in the district, at issue with the community around, by whom they are regarded as having appropriated to themselves the fruits of the capital and industry of those tenants who were evicted, what prospect will there be of agrarian peace? The alien element will be ever in evidence before a community deeply sympathising with the evicted tenants who are near by in the neighbourhood, living as best they can. So you will have this position, the intruding tenants at issue with the community amongst whom they are placed, the evicted tenants who feel they have been deprived of their means of living; you will have the community in sympathy with these evicted tenants and condemning the action of those who stepped into the vacant holdings. Surely, it is impossible that out of these heterogeneous and conflicting elements a condition of peace can arise. I ask you to make such a distinction as you have made in numerous other instances in the Bill. You have made a distinction between large and small tenants, between one rate of years' purchase and another, between those who require the advance of the whole of the purchase money and those who do not, between the tenants in the congested districts and those in the rest of Ireland. I ask in reference to this matter that you should apply to men the same principle of distinction you have applied to districts. No men are more entitled to sympathy than these evicted tenants. I do not ask you to interfere with the legal rights of any landlord, I ask you to allow the Land Commission, in the judgment of whose members you have such confidence that you have withdrawn their conduct from the criticism of the House of Commons—I ask you to allow to these Commissioners, when they have satisfied themselves that a landlord has unreasonably refused arbitration in the case of tenants evicted since a certain date, say January 1st, 1880, or a later date—the discretion to say to such a landlord: "The presumption is against you, that you have refused to submit questions in dispute with your tenants to arbitration, and if you persist in such refusal we prefer that the money provided by the State shall go to landlords whose conduct is not open to censure, and we will not sanction an advance in your case unless you submit to arbitration and afford us evidence that your action has been just." I hope there is no obstinate resistance to my proposal, founded on the belief that these evicted tenants have been abandoned. It may be that the right hon. Gentleman may be influenced by recent occurrences to the belief that the condition of these tenants has become hopeless and more unfortunate than it has been in the past. Such a belief is not well-founded. There has been other evidence in the last few days, and this very day from the City of New York there has been received £3,000 for the relief of these evicted tenants, and full evidence to show that

the stream of sympathy which has flowed so freely from the hearts of their countrymen in distant parts of the world has not yet dried up. I believe that these suffering tenants will be supported, will be kept from starvation by the generosity of their countrymen until the power to deal with their destinies has passed from the hands of the right hon. Gentleman. But I do not found my plea upon this hope; I believe the right hon. Gentleman is desirous that this Act shall work without impediment for the good of the two classes interested in agriculture in Ireland, and I can assure him that whatever other benefits the Bill may bring, it will fall far short of success so long as this class of men, driven to an extreme condition by no fault of their own but by the repeated failure to consider their just demands, are left without any hope from the Legislature. I beg to move that the clause be read a second time.

New Clause—

(Prohibition of advances on certain estates.)

"No advance shall be made under the Land Purchase Acts, or under this Act, for the purchase of any holding on the estate of any landlord, if it be proved, on the application of any person formerly in the occupation of any holding on that estate, that the landlord has in any case refused, in a manner which the Land Commission may think unreasonable, to submit to arbitration any dispute relating to the estate between him and such person formerly in occupation,"—(*Mr. Sexton,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

(7.39.) MR. A. J. BALFOUR: The hon. Gentleman in moving the Second Reading of this clause has traversed most thorny controversial ground with a speech which he endeavoured to make, and did make, moderate in tone, in defence of a class whose position he has in mind, but whose case, to my mind, is wholly indefensible. I have no desire to treat the matter in a manner to arouse some of those slumbering controversies which have raged across the floor of this House in reference to agrarian affairs in Ireland in the past few years. We differ essentially in our reading of the agrarian history of Ireland for the last 10 years. Anyone taking his ideas from the speech of the hon. Gentleman in relation to what has taken place might suppose, in the first place, that Irish tenants have been the victims of halting and feeble legislation, and in the second place, that all the agrarian disputes in Ireland were due to the action of the landlord class. But it seems to me, on the other hand, that never has there been in the history of this world any class of cultivators in any part of the civilised globe who have received so many and such varied gifts at the hands of any Legislature, as the Irish tenants have received from the Legislature of the United Kingdom. I think the hon. Gentleman may ransack all history to find a parallel to the treatment Irish tenants have received from this Parliament. I am equally obliged to differ from the hon. Gentleman in his view of the relations between the action of landlords and the agrarian troubles in Ireland. He talks as if all the difficulties the Executive have had to deal with, and all the difficulties legislation has had to meet in the interest of social order, have been due to the action and short-sighted stupidity of the Irish landlords. Well, I do not wish to put the matter more controversially than truth demands, but I read history in a very different manner. I believe that these agrarian difficulties have been forced upon the Irish landlords. Broadly speaking, I believe that on the estates where the greatest troubles have occurred these disputes have been deliberately fostered for the sake of gaining political ends. I believe the tenants for whom the hon. Gentleman has pleaded with so much eloquence have been the victims, not of landlord tyranny, but of a policy instigated by those who may have been animated, for anything I can say or will say, with a single-minded desire to serve the interests of their country, but who, at all events, had not at heart the interests of the particular tenants who have suffered, and who only regarded these as

instruments for carrying out principles believed to be essential to the future happiness of the country. Differing as we do, then, the hon. Gentleman will hardly be surprised to learn that the Amendment is one which the Government cannot accept. To come down from the broader question, as the hon. Member suggests, and to consider the Amendment as applied to the particular section of tenants whose case he desires to meet, it appears to me that the clause he has put upon the Paper is not well adapted to gain that end in itself, and that it would be absolutely unworkable. Consider it from the point of view of the Land Commission. If this clause becomes part of the Bill you throw upon the Land Commission the extraordinary and impossible task of surveying the history of a particular estate during the last ten years, and of deciding upon no evidence that could ever satisfy a tribunal that a particular course which was adopted, a course in itself perfectly legal and in harmony with the legislation of 1881, was a course no well-advised landlord would have pursued. You throw upon the Land Commission the impossible task of determining whether or not a landlord should have gone to arbitration; and you require the Land Commission to punish him for his error in judgment, while at the same time you punish every one upon his estate who may desire to purchase his holding.

MR. SEXTON: It is perfectly evident, from the exordium of the right hon. Gentleman, that he will not accept the clause, and detailed criticism is unnecessary unless he will indicate any limitation which will make the clause acceptable. I am willing to limit it to particular holdings.

MR. A. J. BALFOUR: The hon. Gentleman does not care for any detailed exposition of the defects, absurdities, and impossibilities that will make the clause unworkable, and, under the circumstances, I do not think it is necessary to detain the Committee by any close examination of the wording of the clause. It is sufficient for me to say that, though I have no doubt that there are tenants in Ireland who have been evicted from their holdings in circumstances of hardship, though I feel there are many cases in which evicted tenants deserve the sympathy of all persons who think as I think they have been the victims of organised intimidation, still I do not think that either in justice to the landlord, in justice to the now occupying tenant, whose interest after all has to be considered, or in justice to the general principles of equity which ought to guide legislation on the subject—I do not think, that on any of these grounds, it would be wise for the Committee to read the clause a second time.

(7.46.) MR. SEXTON: The right hon. Gentleman has chosen this time to exercise his powers of debate upon old subjects of controversy, but if he had turned his thoughts a little more upon the subject before us he would have seen more of the Amendment I propose, and that there is nothing in it remarkably different from the functions the Land Commission will have to discharge under other portions of the Bill. The Commissioners have to discharge varied functions, they have to report upon the existence of particular and exceptional distress on the part of any occupier or any portion of the country, they have to discharge functions requiring the most acute exercise of the rarest faculties. Many duties have been provided for them, some of which we doubt their competency to discharge, but here I ask there shall be entrusted to them a duty which it will not transcend the ability of the average man to discharge. But how, says the right hon. Gentleman, are the Land Commissioners to ascertain whether a landlord ought or ought not to have proceeded as he did to the eviction of his tenant? Well, the Commission will have the facts before them; they have the record of the proceedings for the reduction of rents on similar holdings, and it will be a simple matter, by the exercise of their judgment, to come to the opinion whether or not prior to eviction the landlord unreasonably refused arbitration. "Ab-

surd," "impossible," are the epithets of the right hon. Gentleman; but I say there is nothing absurd or impossible about it, and that the Commission would have no more simple function than to apply to the application of the tenant those same methods which enabled them to come to a decision upon an application for a reduction of rent upon a similar holding. There would then be a *primâ facie* case, upon which arbitration might proceed. I have drawn the clause in terms as general as possible, in order to invite suggestions; and I am willing that the powers of the Commission shall be limited to a particular holding. As to the exordium of the right hon. Gentleman, I may say I have never known a more remarkable instance of allowing the misleading light of a reckless imagination to be cast over the plainest political question. One would think that Ireland was a veritable garden of Eden, a favoured land and clime, where every man was happy and prosperous, and that you might ransack all history in vain to find another country upon which such blessings have been showered by Heaven and British legislation as on Ireland. It is a "Happy Valley," and belongs to the region of romance, not to the dry details of politics. You might ransack history, no doubt, and find nothing like it—nothing like the neglect of duties that should accompany territorial occupation. What have they ever done for the education or the good of the people; or what have they ever cared to do but draw their rents? For over 200 years your Government have allowed this to go on, and it has only been within the last dozen years that you have attempted to deal with the agrarian question in a practical manner. You may ransack history, but where can you find anything like the experiences of 1848, or where can you find another instance of 3,000,000 of people being exiled from their country, owing to agrarian troubles, in a manner that has been a disgrace to your Government, a scandal to Parliament, and a libel upon Christianity itself? This is the happy country in which no one, except by an inexcusable perverseness, raises the voice of complaint.

MR. A. J. BALFOUR: The hon. Member commenced his speech by complaining of the manner in which the agrarian question had been neglected by the Legislature, and in reply I pointed out that no body of tenants had been the subject of such favourable legislation as the Irish tenants. I waited to hear the hon. Member substantiate his declaration by facts.

MR. SEXTON: It was not until the most acute distress had existed for four years and bankruptcy had been at work amongst the tenants that Parliament legislated. I repeat—and my argument cannot be contradicted — that many tenants were evicted between 1877 and 1881, because of their distress and bankruptcy and loss of credit. Nothing was done in the way of legislation until 1881. The reductions which were made by the Court, when the tenants were allowed to go, in showed the necessity for legislation. You have always been slow to act, and when you have acted you have always been inadequate. Under the Act of 1881, 18 months were allowed to pass before the old arrears, which were hanging like millstones around the necks of the tenants, were removed, and during the interval a great many of the tenants for whom I have pleaded to-night were evicted. Will any one deny that the leaseholders have suffered less than these tenants? and yet it was not until six years after the passing of the Act of 1881 that they were allowed to go into the Court. During those six years a great many leaseholders who were unable to meet their liabilities were evicted — many hundreds were turned out of their holdings because you would not apply your legislative machinery to them in order to give relief. In the presence of facts of this kind it is idle, and worse than idle, for the right hon. Gentleman to pretend that he is discharging the function of a constitutional Minister in a constitutional Assembly when he faces an Amendment such as this with such a vapid and meaningless discourse as that we heard from him.

(7.56.) MR. T. P. O'CONNOR (Liverpool, Scotland): I was rather surprised to find that the right hon. Gentleman in his retrospect of the legislation of the last 10 years forgot to mention the part that he himself took in that legislation. I was a Member of the House in 1881, and I remember how the right hon. Gentleman, as a Member of the Fourth Party, when the right hon. Gentleman the Member for Mid Lothian was endeavouring to confer one of the first real Acts of land reform on Ireland, made us all deaf and dizzy by his constant speeches against that Bill. In fact, an hon. Friend reminds me that the right hon. Gentleman may be accredited—as one of the incidents of his brilliant political career in regard to Ireland—with having taken on himself the responsibility of moving the rejection of the fair rent clause. A relative of the right hon. Gentleman took the trouble to compute the number of speeches made by the hon. Member for West Belfast (Mr. Sexton) on this Bill. I assume that the voice of the uncle was a re-echo of the voice of the nephew; and I say that if the right hon. Gentleman dares to complain of the number of speeches made on this Bill, he will be invited to have recourse to the pages of *Hansard* to see the number of speeches he made on the Land Act of 1881. The right hon. Gentleman, in speaking of the legislation which had been passed in the interest of the Irish tenants, was wise enough to confine himself to the land legislation of the last 10 years, and not to deal with the terrible records of landlordism in previous periods. When the right hon. Gentleman claims that more has been done in this country for the tenants of Ireland than has been done elsewhere, I would remind him of the legislation of another country, which I do not think even he will describe as uncivilised. I would remind him of the land legislation of Prussia, which in many respects has been better than that now proposed. A system of peasant proprietorship has been set up in that country, and that not in the lame and halting form the right hon. Gentleman proposes. Have the legislation and the concessions of which the right hon. Gentleman has spoken been given to the tenants of Ireland by him and his Party for love of the tenantry? Nothing of the kind. That legislation has been meant, not for the benefit of the tenants, but for the rescue of the landlords, and, therefore, we owe no thanks to the right hon. Gentleman and his colleagues for it. He has brought it in in the interest of his own class, and his speech to-night shows little diminution in the ferocity with which he has pursued the tenants of Ireland during his term of office. The right hon. Gentleman smiles at that observation. He is blindly callous to the sufferings of the Irish tenants. He knows how they are suffering on such estates as that of Mr. Olphert at the present moment; he has assisted in augmenting those sufferings, and has nothing but a smile with which to greet a reference to them. The claim made by the hon. Member for West Belfast is rendered necessary in consequence of the halting and partial character of recent legislation in respect to the class of tenants referred to. The Act of 1887 was forced from the Government in spite of the declaration of the Chancellor of the Exchequer one Saturday afternoon at Alexandra Park, when he swore on his honour and by his Ministerial consistency that he would never do that which on the following Wednesday he announced it was his intention to do. The Government were forced to legislate by the combination of the tenants. The campaign tenants—for such I must call them—who formed the combination were the allies and teachers and apostles of the Government in carrying the legislation of 1887. Well, the hon. Member for West Belfast has again demonstrated the justice of the case of the Irish tenants; but the right hon. Gentleman absolutely disregards his appeal, and the way he has done so shows that his chief consideration is not the real interests of the tenants of Ireland. If the right hon. Gentleman would only take a straightforward and statesmanlike view of the matter, he would accept the new clause of my hon. Friend, for it would be the means of obviating great injustice that must otherwise be inflicted, and would

have a beneficial effect throughout the country. This would be an effectual solution of the Irish land question. We thought so in 1880, and said so in our speeches and in the published documents of our organisation. The right hon. Gentleman is never tired of telling Tory audiences in the country that he never heard a practical or wise suggestion from these Benches with regard to the government of Ireland. Does the right hon. Gentleman deny that he has made that observation over and over again in the country?

MR. A. J. BALFOUR: I have made it in this House.

MR. T. P. O'CONNOR: Then the repetition has all the more exposed the error. The right hon. Gentleman may not think so, but, as a matter of fact, every single act of the Legislature with regard to the land question in Ireland has been borrowed years after it was suggested by hon. Gentlemen who sit on these Benches and their organisations. What will be the state of Ireland when this Bill as it stands passes into law? There are a few sore spots still in Ireland—about 20. As the hon. Member for West Belfast has pointed out, these sore spots have been the cause, if I may use the term, of all the inflammation in the body politic of Ireland; they have been the cause of the Coercion Acts and of the enormous cost required for the government of the country. Now, without such a clause as that proposed, these sore spots will remain, and will continue to work mischief, and surely a wise man in the position of the right hon. Gentleman would do everything in his power to meet that difficulty. The proposed clause would do so to a great extent, and there would be no difficulty in making it work if the right hon. Gentleman would only apply himself to the task. The folly of the right hon. Gentleman in refusing this proposal exceeds my most sanguine expectations of his qualities in that direction. The right hon. Gentleman did not criticise in full the proposal of my hon. Friend. It is lucky for him he did not, because I think he would have found it difficult to have disposed of the proposal by detailed criticism. It is plain to see how the Amendment could be made workable, but the right hon. Gentleman does not want to work it. He has administered coercion for four years. I will not go back on the dire and tragic episodes of that administration. But the right hon. Gentleman has managed to get from his own Party a reputation for firmness in the administration of the Coercion Act. He has also succeeded in exciting the indignation of the vast majority of his own countrymen in England and Scotland, a forecast of which he has been able to see within the last two or three weeks, and the reality of which at the next General Election will make even him reel in his estimate of the omnipotence of his policy. The right hon. Gentleman wishes to keep up his reputation for consistency. He thinks he cuts a better figure by this policy of firmness than he would by making a wise and statesmanlike concession such as that demanded by my hon. Friend. I am not surprised at his persistent refusal to accept the Amendment. I hope the observations of the right hon, Gentleman will be studied in Ireland, and I have not the smallest doubt they will be. They will throw some light upon this new and portentous alliance between the so-called Independent Nationalist Party and the present Administration. The people will in the light of those observations be able to understand how the two Parties are able to work together, the one by refusing funds that belong to the tenants, and the other by refusing concessions to the tenants—to work together, so that the evicted tenants may be crushed between the upper millstone of Parnellism and the nether millstone of Balfourism. The intelligent people of Ireland will read and understand this Debate, and I am very much mistaken if the rejection of the Amendment of my hon. Friend, foolish as it may be on the part of the Chief Secretary, and disappointing as it may be to my hon. Friends, will not in the end redound to the advantage of the people, inasmuch as it will be one of the many contributory causes which will

drive the right hon. Gentleman from his present position, which will put a very different kind of administration on the Treasury Bench, and will sweep away coercion and Parnellism combined.

(8.12.) MR. T. M. HEALY: I read the other day in the papers that the right hon. Gentleman the Chief Secretary had received at his office a large body of gentlemen on behalf of the evicted tenants of Ireland; and from the accounts, which were only supplied to the Parnellite newspapers, I gather that he held out some hope of consideration to them. From that fact I certainly imagined that the right hon. Gentleman would have shown more sympathy with the proposal of my hon. Friend than he has done. The right hon. Gentleman admitted to the deputation the existence of grievances. That being so, there remains only the question of remedy. Surely the application of destructive criticism on an occasion of this kind is not the be-all and end-all of statesmanship. The right hon. Gentleman is well aware that there are at the present moment large bodies of evicted tenants. I should have supposed it was the business of a man of the world, of a man who sits on the Treasury Bench, to treat the world as he finds it, and not as if everybody possessed all the cardinal virtues. But the right hon. Gentleman, now he thinks he has these men in his power, instead of endeavouring to lay down the proposition that Ireland's difficulty is England's opportunity, is seizing the downcast and down-hearted condition of these men, to drive them still more into the mire. I confess that would not be my idea of British statesmanship. I should have thought the right hon. Gentleman would have been glad to build a golden bridge to enable these people to obtain the benefit of the Purchase Act. Mr. Townsend French is a man of the world, and he wished to settle the Luggacurran difficulty; and I imagine, from the wistful way in which the hon. Member for South Hunts (Mr. Smith-Barry) has been regarding these Debates, that the landlords of Ireland would be glad to see the Government giving something like an impetus to a settlement, which they would pretend to grumble at, but would be only too delighted with. We have seen the Member for South Hunts, like a solitary raven, looking on at these Debates and hoping that somebody would put his hand on his shoulder and say to him, "Now, do, like a good fellow, let these Ponsonby tenants back into their holdings. If you do not, we must apply a little pressure." These men are always governed not by Irish opinion, but by English opinion—by the opinion of their clubs, their four-in-hand meets, and their Rotten Rows—and they would be glad if they had the opportunity to say, "The Government forced us to reinstate the evicted tenants." When the Liberal Party are in Office they have in front of them some hundreds of Tories denouncing them if they make the least concession to Ireland. When the Tory Government is in Office it is like forcing an open door. They meet with no opposition from the Liberal Party at all, and do as they like practically as long as they are considered to be doing something in the interests of Ireland. It is the same with foreign policy, and this is the great secret of any success the Tory Party has achieved. Let us now take the case of Lord Clanricarde. The case is so extraordinary that the Irish Secretary, in a few of those barbed sentences of which he is such a master, probably gave him the greatest amount of flagellation that anybody has inflicted on him in this House. The right hon. Gentleman despatched the hon. Member for South Tyrone (Mr. T. W. Russell) to Ireland. Of course he did not do it directly, but whenever the hon. Member for South Tyrone goes anywhere it is always difficult to find out who pays for his trot. Take his letters on the subject of what is going on on Lord Clanricarde's estate, where there is now so large a body of these poor tenants, and where so many evils have long prevailed. The hon. Member for South Tyrone went to the West of Ireland in 1888. He went to the agent, Mr. Tenor, who entertained him for a long time, and he then went to the local prison and was generally taken about the estate, and the result was that

he condemned Lord Clanricarde's procedure, writing a letter to the *Times*, in which he occupied about two columns for the purpose of proving that Lord Clanricarde was one of the greatest monsters that had ever descended upon the Irish tenantry, and asserted that the way to deal with such men as he, was by compulsory expatriation.

THE CHAIRMAN: Order, order! The hon. Member appears to have lost sight of the proposal before the Committee.

MR. T. M. HEALY: I was only endeavouring to cope with statements to the effect that those tenants have no grievance, and what I said was entirely occasioned by the charge that the existing state of things is due to the action of hon. Members on this side of the House; but, of course, if you object to my going further into this part of the subject I will not proceed with it; nevertheless, I may say that it must at least be acknowledged that there are estates in Ireland upon which, even according to the testimony of the supporters of Her Majesty's Government, there are burning questions, a solution of which must be provided in some manner or another, and which ought to be provided by this Bill. What is the remedy which the Government propose? Take this case of Lord Clanricarde; it is admitted that the estate is denuded of tenants, and this estate extends over a district as large as half an average-sized Irish county—almost as large as the County of Carlow, and certainly quite as large as the County of Rutland. If you had such a state of things in England—a district as large as a small county denuded of its tenantry, a landlord who was living in a foreign clime, using on his own property the forces of the Crown to harry and oppress such tenants as are left—would you not say that the opportunity offered by a Bill of this kind was one in which the interests of those tenants should be considered and provided for? My hon. Friend says that the Bill will not meet the case of Lord Clanricarde, because he is content to make a desert, and to call that peace. No doubt Lord Clanricarde is quite satisfied, so far as I am able to see, to go on with the scheme of exterminating the tenants without any attempt to replace them by other tenants; but is this a case which the Government can contemplate with anything like equanimity? If the Government have broken down the Plan of Campaign in Ireland, and if the hon. Member for South Hunts (Mr. Smith-Barry) has so acted that he has deprived the Ponsonby tenants of all hope, it is somewhat strange that when matters are in this condition the situation, instead of being rendered better, is being rendered more desperate by the Government. If the subscriptions from America had been dried up, if the sympathy is being sealed as against the Irish tenantry, surely the Government must see that there can be nothing much worse for a landlord like Lord Clanricarde to have in his immediate neighbourhood large bands of hungry and desperate tenants encamped in huts on his estate, and not knowing where to turn for a meal. The Government are rejoicing and gloating over the misfortunes of these men and are practically holding them up as scarecrows and dreadful examples by which the other tenants are to be terrified; such a policy as this is, I say, an unwise and a perverse policy; and when it is found that large bodies of tenants have gone out because of rack rents, and large numbers because they have made themselves the pioneers of a movement of self sacrifice—I say, that in a case of this kind, where these men are denuded of all hope and expectation of bettering their condition, we have a state of things which I, if I were in the position of the Chief Secretary, should not be able to contemplate with anything like equanimity. At any rate, if I did, I do not think I should be taking a statesmanlike view of the matter. How does it happen that men like the Ponsonby tenants have been brought to such a pass? Was it by the action of the landlords? No; it was by the intrusion of a hostile, or rather a strange and foreign syndicate. If so, is not the case for my hon. Friend's Amendment made all the stronger? Surely these are circumstances under which pressure ought to be brought to

bear on the landlord to induce him to work up the ravelled skein of the agrarian difficulty on his estate, and to arrive at a settlement as to which he might be enabled to say that this has been made a matter of high State policy by the Government, and it was therefore desirable that an arrangement should be effected. Let us admit, for a moment, that these tenants have made a mistake, and that instead of being animated with the pure and noble motives which induced the citizens of Moscow to burn the then capital of the Russian Empire, so as to prevent its affording food and shelter to the army of the French conqueror, the actual motives by which these men have been influenced are as base and sordid as those which the Chief Secretary attributes to them. I ask, what then? At any rate, the Government have to face the fact that there are 4,000 or 5,000 landless and hungry men sitting down on the estates of their landlords and watching their farms. Is that a desirable state of things? I say it is not, and that whatever may be the motives which animate the action or influence the conduct of those people, the Government ought to be ready and willing to provide a safe and satisfactory method of settling the question. If the word had gone round to Mr. Ponsonby that the Government were anxious to effect a settlement, he would have been one of the first men to concur in a settlement. We on these Benches are frequently told that we only select for our operations those landlords whom we believe to be defenceless. Let us take this statement for granted, although, as a matter of course, I deny it. Is Mr. Ponsonby, or any other landlord similarly situated, to be deprived of all hope or chance of ever gaining benefit from this legislation? I think it would be found that if an opportunity were offered by which the Representatives of the landlords of Ireland on the one hand and of the tenants on the other, could meet in some room and discuss the whole question round the common table, they might, with very little difficulty, be enabled to find a satisfactory solution, provided the question of feeling could only be put on one side. The present attitude of the landlords is really attributable to a determination to resist what they regard as compulsion. They say the situation is a threatening one; but I would ask how can they make this statement when they have men like the hon. Member for Cork (Mr. Parnell) going about the country and telling the tenants that their only hope is in the present Bill, and that the money which has been subscribed for the relief of the evicted tenants cannot be unloosed? I say when you have men in the position of the hon. Member for Cork saying all this, and adding that this is the last Bill the Irish tenants are ever likely to get from the Imperial Parliament, is this a situation that can be said to threaten the Irish landlords? No, it is nothing of the kind. On the contrary, I say that it is a favourable moment for the Irish landlords to come on, when the flag has been so lowered by the hon. Member for Cork. This is hardly a moment when they will feel inclined to fire upon a flag of truce. Beyond this, it is surely far better from their point of view that the settlement of this question should come from a Tory Government than from a Liberal Government. Therefore I say, if there be any statesmanship on the Treasury Bench, let the Government seize the opportunity which is now afforded. If they do not like our proposal, let them bring forward a proposition of their own, and we are willing to discuss it. They cannot suppose that they have acquired a life tenure of their present offices. Even the most foolish Insurance Company would hardly be disposed to calculate the remainder of their term as worth more than a year-and-a-half or two years' purchase at the outside. I would, therefore, earnestly suggest to the Government that this is the most favourable moment at which they can make terms on behalf of these landlords who are in a position of difficulty. Because that they are in a position of difficulty is undoubted, and if the situation is not in some way held up, they may depend upon it that by some means or other a sufficient amount of money will be found to carry on this struggle, if necessary. Knowing what I do of the men who have had the charge and care of these evicted tenants, I do not believe, for one moment, that they will fail in securing the means of con-

tinuing the conflict, should that course be forced upon them. I do not believe that men like Canon Keller, who is in charge of those tenants on the Ponsonby estate, and other men of his rank and standing and noble character and priestly influence, would find their appeal unheeded if they were to go to the members of our race in America. I am convinced that, in that case, they would not find that the well of Irish sympathy has been dried up. Therefore I say, that if the Government and the friends of the Irish landlords are wise in time, they will endeavour to find, under cover of this Bill, some means of settlement. Remember what happened in the past, when the Act of 1881 was carried. You would do nothing to lighten the burden of arrears which then hung so heavily round the necks of the Irish tenants. But subsequent events, including the terrible murders which took place in the Phœnix Park, induced the Government to bring in a Bill by which the arrears were dealt with to a large extent, and that measure was regarded as a sort of amnesty throughout Ireland. Surely the Government ought not now to wait until some fresh calamity comes upon the Irish tenants, and they are aroused anew into a condition of exasperation. If the Government will not accept our proposal in this House, then the House of Lords might be called upon to exercise their ingenuity to endeavour to bring about a settlement of this question. There is at this moment a pause, a lull, which is highly favourable to the exercise of a judicious temper in the direction of a settlement. The Government can hardly say that they have selected this moment of depression in the popular ranks as a fitting one for coming forward to arrange a satisfactory solution of the difficulty. The situation is sufficiently grave, and involves questions sufficiently large to induce the Government to address themselves to its consideration in a becoming spirit of good temper and good sense. And I say, that if they only exhibit the same disposition as was evinced in regard to the Scotch crofter question in 1886, the Government will be showing that they still have some share of those governing qualities which British statesmanship in our colonies and elsewhere has always endeavoured to bring to the solution of problems of this nature.

(8.40.) The Committee divided:—Ayes 29; Noes 62.—(Div. List, No. 243.) (8.48.)

(9.20.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*(9.22.) MR. W. PRITCHARD MORGAN (Merthyr Tydvil): I beg to move a new clause—"Regulation of Mines, &c." I have every reason to know that there is a general feeling in the House that an opportunity now presents itself of enabling the State to do that which it might have done many years ago with great advantage to the public interest, namely, to become the owner of the minerals contained in the lands of the country. On two occasions I have put on the Paper clauses having that object, but unfortunately those clauses have been ruled out of Order. I am driven, therefore, to make the proposal I now make, namely, that the minerals shall be reserved to the present owners of the land. It would be a very serious thing, in the event of minerals of value being discovered in Ireland, if the lands were cut up and handed over to a large number of persons—because in that case persons desirous of developing the mineral resources of Ireland would have, of necessity, to go to a great number of persons before they could secure the rights of mining in the lands. The Royal Commission now sitting on mining royalties have issued a special Report in which they warn the House of the effect which the passing of this Bill may have on the development of the mineral resources of Ireland. The evidence of the Irish witnesses before that Commission shows that they consider this a favourable opportunity for the State to take over the minerals of Ireland. Not only from an abstract point of view should that principle be adopted, but because it is being largely recognised in our colonies at this moment. The colonies are now legislating

in a most drastic manner for the purpose of bringing about a development of their internal resources. I say it is the duty of the State to avail itself of this opportunity of doing something to prevent the shutting up of the mineral resources of Ireland. There are many hon. Members on both sides of the House, I know, who laugh to scorn the idea that there are any precious metals whatever in the British Isles. But as a matter of fact they do exist. If anyone doubts the existence of precious metals in Ireland, he will find unmistakable proof of that fact in the British Museum. If anyone desires to mine in Ireland, he must get permission to search for the base metals from the landlords, and then get the leave of the Government to search for the precious metals. Each of these landowners or royalty owners insist upon receiving a proportion, not of the profits of the mining operations, but of the products. In the Court of Appeal the other day a declaration was made by the learned Judge to the effect that if the base metals and the precious metals were of anything like co-ordinate value, he did not know to whom the mine would belong. That shows that the law as to mining is in a most unsatisfactory state. The Attorney General for Ireland cannot say that the Crown is not desirous of interfering in this matter, and of, in some way, controlling the mining interests of the country, because in some respects it does so already. What I desire to do is to centre all the minerals in the Crown, or, failing that, to keep them in the hands of the present landlords. The Land Commission should arrive at an approximate price at which the Crown can buy out the mining rights of the landlords. My only object in moving the clause is to serve the best mining interests of the country, and if I succeed in doing that I shall consider that I have done my duty.

New Clause—

(Reservation of mines, &c.)

"No mines, minerals, stone, gravel, clay, earth, or other substances (except peat) contained in any lands that shall come under the operations of this Act shall pass to any purchaser under this Act, but shall remain the property of and be reserved by the present owners of such lands."—(*Mr. Pritchard Morgan.*)

—brought up, and read a first time.

Mr. W. Pritchard Morgan

Motion made, and Question proposed, "That the Clause be now read a second time."

*(9.32.) Mr. MADDEN: The subject to which the hon. Member has called attention is one of great importance, but the hon. Member himself has admitted that the new clause does not contain the policy which he would have been glad to recommend, but that in fact in many respects it is opposed to it. For my own part, it does not appear to me that this clause will deal effectively with the question. I have always felt that the sub-division of the ownership in fee of land in Ireland may hereafter prove a very considerable bar to the development of the mineral resources of the country, but the question cannot be met in the manner proposed, which is simply to reserve compulsorily to the vendor mines and minerals. I could quite understand the position of the hon. Member if he had brought forward a scheme by which either the State or some Local Authority should have control over mines and minerals. Of such a scheme, I will only say that it would deserve the consideration of the Committee; but that is not the proposal of the hon. Member. By the wording of the clause such things as clay, stone, and gravel and earth would be included. Everything, in fact, on or beneath the surface of the soil would be reserved to the vendor, save bog. The substance, however, of the proposal is that such things as are generally known as mines and minerals should be reserved to the vendor—*i.e.*, to the landlord, who in many cases has parted with the whole of his estate, and I do not think that that would be conducive to the development of mines and minerals in Ireland, inasmuch as the landlord might have severed his connection with the country, and would have no interest in the development of these resources. I cannot, therefore, recommend the Committee to adopt this Amendment, though I fully appreciate the importance of the general question, which is one which may have to be considered in a substantial manner hereafter.

*MR. PRITCHARD MORGAN: May I ask whether the right hon. Gentleman can suggest any other means by which the question of minerals may be reserved; would he reserve them to the State?

THE CHAIRMAN: It would be quite out of order to discuss that point.

MR. LLOYD GEORGE (Carnarvon, &c.): Shall I be in order in moving an Amendment to the clause?

THE CHAIRMAN: No Amendments can be moved until the clause has been read a second time.

(9.38.) MR. CALDWELL (Glasgow, St. Rollox): I think there is great force in this clause. Those tenants who, under this clause, are to become purchasers of their holdings will not buy the mines and minerals. They simply want the agricultural surface of the soil, and that is all they buy, although they will, unless the Bill is amended, become purchasers of the mines and minerals as well as the surface. Under the circumstances I think there ought to be some means whereby mines and minerals should be vested in some one other than these new proprietors. When you come to open up a mine in Ireland it would be very inconvenient to have to treat with a considerable number of proprietors having an interest in the land. I think there is no reason why we should not reserve these metals for the general good. You, Sir, have ruled that it would be out of order to consider the question of how far the locality should have an interest in minerals.

THE CHAIRMAN: That subject cannot be gone into on this clause.

MR. CALDWELL: It seems to me that we should prevent minerals passing from any vendor under the Bill. Parliament could then, on some future occasion, legislate in regard to the mineral rights.

MR. MACARTNEY: It is outside the scope of the Bill to discuss the question of minerals going to the State or the Local Authority. Would it not be possible to reserve in the Bill mineral rights to the present owners where there is no reference to minerals in the contract?

THE CHAIRMAN: The property in minerals is now vested in the landlord, and it can be reserved to him.

Question put, and negatived.

First Schedule—

(9.42.) MR. SEXTON: We had a sharp Debate at an earlier stage of the Bill on the different treatment extended by this Bill to the five cities and towns in the 1st Schedule, and to the five cities and towns in the 2nd Schedule, and I said I should divide the Committee on the subject. I want to see the same rule applied to all these cities and towns. So far as the interest of the farmers is concerned the Government propose to strike a serious blow at the five cities in the 2nd Schedule, because their share of the Cash and Contingent Guarantee Fund is such that by excluding them from the operation of the Bill you lower the amount of Stock by £4,500,000. In view of that very grave fact, I think it requires a very powerful argument to justify the inclusion of the cities in the 1st Schedule. When we debated the matter here the Secretary for Ireland recognised the force of my contention, and said that if the Members for the districts adjoining the included cities thought they should be excluded, he would be prepared to yield on the point. From that day to this not one Member has said a word in opposition to what I pleaded for on that occasion. There was an Amendment on the Paper in which an hon. Member proposed to move to exclude Waterford from the 1st Schedule. But unfortunately the day after the Chief Secretary came down and turned a complete somersault on the question. He took up a totally different position. So far from saying that he would be guided by the Members representing the districts adjoining or surrounding the cities, he adopted the simple and inappropriate and unmeaning argument of population. Size is not an argument in this case. A small city may be more independent and distinct on this matter than a large one, and I

refuse to assent to the proposal that there should be any distinction drawn. Waterford is an important city. It is a seaport with a foreign trade, with important brewing and distilling industries, and with bacon curing and other industries. Will the Government exclude Waterford from the Schedule? The County of Waterford is to have £750,000 of Stock, which will last for a considerable time. I decline to admit that there is any reason in the test of population which has been adopted by the Chief Secretary; but the population of Waterford approaches the line which has been laid down, and I cannot see why this important city should be denied the privilege, which is given to Limerick or Londonderry, of deciding whether or not they will come in under the Bill. Waterford is as much separated from the rural districts as Londonderry or Limerick. I hope the Government will be able to give me a favourable reply, at least with regard to Waterford, and if there be no favourable response I shall be obliged to raise the case of each of these cities.

(9.45.) MR. M. J. KENNY: It has been pointed out that there was no appreciable difference between the populations of Waterford and Derry according to the last Census. It is true that Derry has since grown, but it is also true that Waterford has since grown. Waterford is twice as large as any of the other towns in the 1st Schedule, and all the circumstances connected with it would lead to its inclusion in the 2nd Schedule.

THE CHAIRMAN: There ought to be some Amendment before the Committee.

MR. SEXTON: I beg to move the omission of Kilkenny, with the view of raising the question of Waterford.

Amendment proposed, in page 19, line 5, to leave out the words "County of the City of Kilkenny."

Motion made, and Question proposed, "That the words proposed to be left out stand part of the Schedule."

(9.50.) MR. M. HEALY: The refusal of this Amendment is simply an attack on the whole municipal system of Ireland. Four out of five of the towns in the 1st Schedule have municipalities of their own. In refusing our demand the Government say they will not submit the operations of this Bill to local control. In regard to Waterford the case is unanswerable, and it is an outrage almost on the symmetry of the measure to include Waterford in the 1st Schedule.

MR. A. J. BALFOUR: I do not quite understand the basis of the criticisms which are passed on the Schedule. We suggest that the very big cities should be excluded, and the line must be drawn somewhere. According to the Census of this year, of which of course I have only the unrevised figures, I find that Londonderry has a population of nearly 32,900 and Waterford a population of 21,700.

MR. SEXTON: What are the other populations?

MR. A. J. BALFOUR: Limerick has a population of 27,000.

MR. M. J. KENNY: Is that the new Census?

MR. A. J. BALFOUR: Yes. Waterford has a population of about 21,000, Galway 13,000, Drogheda 11,000, and Kilkenny 11,000. I would earnestly recommend the hon. Gentleman not to press the Amendment. If now you turn from the general scheme of the Bill to the manner in which it affects Waterford, you find that the total for the county guarantee is £758,000, and the amount from Waterford city £142,000 odd, nearly a fifth of the whole; so that if hon. Gentlemen insist on turning Waterford out of the list, and putting it, against all arithmetical symmetry, in the excluded list, the effect will be to deprive the county of Waterford of a fifth of the whole of the amount to be devoted to land purchase in the county.

MR. M. J. KENNY: And so with Derry.

MR. A. J. BALFOUR: It would be a serious blow to the prospects of land purchase in the county, and I hope that will not be done. We have given power to each of the excluded towns to come in under the Bill, but we do not necessarily compel them to do so. On the

whole, I think no sufficient reason has been shown for modifying our original proposal.

(9.56.) MR. SEXTON: Waterford will not necessarily be deprived of its share of Stock; it is simply a question of giving the people of Waterford the option of saying if they will or will not hypothecate their city revenues to provide security for the agricultural parts of the county. The county will have £750,000. That is a large share, and I think it is a serious thing to say that the municipality of a city like Waterford shall have no voice in determining whether it shall provide a fifth of the whole Stock of the county. Surely it is an abrogation of all principles of municipal government, a despotic interposition of the Imperial Government. The right hon. Gentleman has spoken of the gaps of population, and as if the groups were arranged in order of population. There is no doubt considerable difference in the size of the towns in each group, but not between Waterford, with above 20,000 population, and the towns at the end of the other group; and I submit that on the basis of population alone Waterford would more properly find its place in the 2nd Schedule. I may remind the right hon. Gentleman that at an earlier period of our discussions he expressed his willingness to accede to a desire on the part of the county Representatives that a town should be excluded, and this Amendment stands in the name of an hon. Member who represents one Division of the county, and I am aware that the Member for the other Division concurs in the proposal. I cannot conceive upon what principle a Corporation like that of Londonderry, deriving an income from agricultural tenancies, and having a direct interest in the prospects of agricultural tenants, should be allowed to say whether or not it will join in the guarantee, while a city like Waterford should be denied any voice in determining whether its revenues should be pledged for a like purpose. What is the use of dwelling so much on this matter of relatively small importance? We have made out a strong case, and I trust we shall not be put to the necessity of debating it further. Waterford will have £600,000 worth of Stock, and the £140,000 from the city will not be required for many years to come, and meanwhile, the city being included in the 2nd Schedule, it will be open to the Corporation to co-operate should it be desirable.

*(10.3.) MR. KNOX (Cavan, W.): An element in the comparison as between Waterford and Londonderry is valuation as well as population, the capital value of their shares of the Guarantee Fund, and I imagine that, test it as you may, the valuation of Waterford and payments to income tax are immensely larger than in Londonderry. Wealth as well as population should be considered in estimating the importance of a town, and the wealth of Waterford arises from manufactures and commerce quite apart from agriculture. And yet are the resources of Waterford to be pledged, though they are quite distinct from agriculture, which is not the case with Londonderry, which is excluded? We have often been told that people must be weighed as well as counted, and let this principle be applied as between Waterford and Derry. To an extent that does not find a parallel, I think, in any other city in the Kingdom. Derry draws a large proportion of revenue from agricultural land, and it would be reasonable, were a city, so circumstanced, to bear its share in the loss that might accrue from the application of a system of land purchase to the county. I venture to think that if the hon. Member for South Derry were to protest against the exclusion of Londonderry from the Bill he would have a very strong case, so long as Waterford is included. Surely if there is any strong feeling in the County of Waterford that the amount available for land purchase is insufficient by reason of the City of Waterford standing aloof from the scheme, then if the Corporation is a representative body, and the interests of the city are bound up with the interests of agriculture in the county, the pressure of public opinion will induce the Corporation to pass a resolution including the city within the scope of the Act. If the

Chief Secretary is right in his premise, he must be wrong in his conclusion. If the interests of Waterford are agricultural, the City Corporation will, by resolution, include itself in the responsibilities of the county. I venture to deny his premises. I do not allow that Waterford is so intimately connected with agriculture as the right hon. Gentleman supposes. It is the shipping port, but on that account is not more connected with agriculture than Milford.

(10.10.) MR. SEXTON: I really think some error must have crept into the figures of the Chief Secretary, for I find, on reference to the *Parliamentary Companion* the population of Londonderry given as 29,162, and Waterford 29,181, or 19 more, and the difference in the number of electors is 73.

(10.11.) MR. A. J. BALFOUR: The figures are, of course, different for the Parliamentary borough and for municipal purposes. Hon. Gentlemen claim that the proportion of the contribution of the city to the county constitutes a claim of the city to determine whether it should be included in the Bill; but the same argument might be applied to Drogheda and its proportion to County Louth, and there would be as much to be said for Galway. But, however, if hon. Gentlemen insist, I do not know that it is worth while contesting the point.

Amendment, by leave, withdrawn.

Amendment proposed, to leave out line 9.—(*Mr. Sexton.*)—Agreed to.

Schedule, as amended, added.

Schedule 2.

Amendment proposed, in line 11, to leave out "counties of cities and towns," and insert "municipal boroughs."—(*Mr. M. Healy.*)—Agreed to.

Amendment proposed, at end of Schedule, to insert "Waterford."—(*Mr. Sexton.*)—Agreed to.

Schedule, as amended, added.

Schedule 3.

(10.15.) MR. M. HEALY: You intimated, Mr. Courtney, when Clause 19 was under discussion, that this would be the proper place to discuss the details of those enactments which are repealed, and to which my hon. Friend the Member for Kilkenny raised an objection. This 3rd Schedule contains a list of enactments repealed, and upon the first of these arises the question of the radical alteration in the constitution of the Land Commission, in relation to which parts of sections of the Act of 1881 are repealed. This repeal, we contend, should have been limited to an alteration in the *status* of those two Land Commissioners who are to be Land Purchase Commissioners, and the other Members of the Commission should not be included. This matter was discussed under Clause 10, and I do not intend to press it further, though it may be that we shall enter a final protest by dividing against the Schedule.

Schedule added.

Bill reported.

MR. A. J. BALFOUR: We propose to take the Report on Monday week.

MR. SEXTON: Is it certain that the Report will be then taken? It would be convenient to allow a little longer interval.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): If the hon. Member will put the question later on I will answer it. This is the present arrangement.

MR. M. HEALY: The Bill will be reprinted in its amended form?

MR. A. J. BALFOUR: At once.

Bill, as amended, to be considered upon Monday, 1st June, and to be printed. [Bill 342.]

STAMP DUTIES BILL.—(No. 304.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Herbert Maxwell.*)

(10.25.) MR. M. HEALY (Cork): This Bill appears to be of some importance, and I think we ought to have some information as to its character and purpose. The existing Stamp Duties Act, so far as I am aware, has worked very well, and the alterations since 1870 have

not, I think, been of an extensive nature, and I am, therefore, somewhat at a loss to know the reason for introducing this Bill at the present time.

(10.26.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): This Bill is a consolidated one. Numerous alterations and exemptions have been made in the Stamp Duties from time to time, and considerable inconvenience has been experienced owing to those changes being scattered through various Acts. Great trouble has been taken in the preparation of the Bill, and I have reason to believe that the Law Society, and those particularly concerned—men of business and others—approve very decidedly of the step that has been taken in consolidating the law. It will be of great service to the public to have the law put on the clearest and most intelligible footing. The Bill does not include the Probate Duties, but only the ordinary Stamp Duties. It is our intention, after the Second Reading, to refer the Bill to the Standing Committee on Law.

(10.27.) MR. CHANCE (Kilkenny, S.): No doubt it is desirable and necessary for the public and the legal profession that the law should be put into a clear and intelligible form; and if this were merely a consolidation of the existing law, no objection would be taken. But there is one clause—Clause 13—which proposes a somewhat important and startling change in the law. Under it persons appealing from Assessment Duty, and succeeding in those appeals in protection of their own pockets, are no longer to get the costs of appeals, but are to be deprived of the right of obtaining costs. The question is to be left wholly to the discretion of the Court. That is a very unreasonable provision, and it is not a proper one to be introduced in a Consolidation Bill. I would suggest that to facilitate the progress of the Bill this Clause 13 should be withdrawn, for it in no sense can be called a consolidation of the existing law. In dealing with private litigants, it is reasonable that the Court should have a large discretion in allowing costs, otherwise you may have litigiously-minded persons continuously making applications on trifling technical points of form, and not points of substance; and, though they may succeed, it does not follow that they should be allowed their costs; but as between the Crown, as represented by a great Department like the Inland Revenue, which exercises the power of taxation, it is only reasonable that a litigant, when he succeeds in an application for his own protection, and, in doing so, performs also a public service, should be allowed his costs. I hope the Bill will not be allowed to go through now without some expression of opinion from other Members and without some clear explanation of the changes it is intended to effect.

(10.30.) THE SOLICITOR GENERAL (Sir E. CLARKE, Plymouth): The hon. Member has called attention to the only one of the modifications made by this Bill to which objection could be taken. No doubt some difference of opinion may arise as to the discretion of the Court in regard to costs. I think it is a wise change to bring the law in these matters into harmony with the rule in almost all other cases. If hon. Members will allow the Bill to be read a second time now, the Government will look into the point the hon. Member has raised, and will certainly not press the proposed change if there is any great objection to it.

(10.32.) MR. T. M. HEALY (Longford, N.): I think it shows want of frankness to speak of this measure as a Consolidation Bill. It is nothing of the kind. If there is any law that less requires consolidation than another it is the law relating to the Stamp Duties. There is no law more easily accessible and better understood. I am beginning to think these great Departments of State must have very little to do, because we have found them of recent years forcing upon the attention of Members who have a great deal more work than they have, and are not paid for doing it, a series of Bills for codifying laws which experts are paid to understand, whilst the laws which the public require to understand are left uncodified. My hon. Friend has taken distinct exception to Section 13 of this Bill. I think it is a very strong section, and that

it is unfair to introduce it in a so-called Codification Bill.

(10.35.) MR. GOSCHEN: Of course, we should not have done it unless we had called special attention to the matter in the Memorandum attached to the Bill. We do, however, draw special attention to Clause 13 in the Memorandum, so that no charge of that kind can be brought against us.

MR. T. M. HEALY: I do not know, Mr. Speaker, that I might not draw your attention to this as a matter of order. This is a Consolidation Bill, and I do not see that a reference to the clause in the Memorandum alters the matter. I beg to move that the Bill be read a second time on this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question, to add the words "upon this day six months."—(*Mr. T. M. Healy.*)

Question proposed, "That the word 'now' stand part of the Question."

(10.37.) MR. A. O'CONNOR (Donegal, E.): I do not know whether this Bill has been founded on a Resolution in Committee; but it strikes me, as a matter of order, inasmuch as it repeals certain duties and imposes others, that it ought to have been so founded. Besides this, I find it stated in the Memorandum that there has been an official practice at variance in certain respects with the provisions of the existing law. It would have been only proper if the House had been informed what were the points of difference between the practice and the law. I suppose that if the Bill is not passed, the illegal proceedings of the officials will be continued indefinitely. I submit that the Government ought to have told us what are the official practices that are legal, what amount of revenue they involve, and what charge upon the subject this Bill will cause. I would ask you, Mr. Speaker, on a point of order, whether the Bill ought not to have been founded on a Resolution in Committee?

*MR. SPEAKER: The Bill provides for repeal of duties, but for no imposition of fresh duties.

MR. A. O'CONNOR: There is an alteration of duty.

*MR. SPEAKER: I do not understand that there is any alteration of the existing duty.

MR. A. O'CONNOR: Yes, there is an alteration of the existing duty.

MR. T. M. HEALY: At the top of page 3 there is a provision which, in my opinion, imposes a fresh charge on the taxpayers of Scotland.

MR. GOSCHEN: No, I think it is a reduction of duty.

*MR. SPEAKER: I find, on looking at the Bill, that there is a remission of duty, as I said before, and not an imposition of a fresh duty.

(10.40.) The House divided:—Ayes 82; Noes 23.—(Div. List, No. 244.)

Main Question put, and agreed to.

Bill read a second time.

MR. GOSCHEN: I beg to move that the Bill be referred to the Standing Committee on Law.

MR. T. M. HEALY: I do not rise to oppose this proposition, but only to express the opinion that it would be reasonable if the Government gave us some indication that in Committee they will not urge the objectionable portions of the clause.

MR. GOSCHEN: I will consider the point.

Question, "That this Bill be referred to the Standing Committee on Law," put, and agreed to.

STAMP DUTIES MANAGEMENT BILL.

(No. 305.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*The Chancellor of the Exchequer.*)

(10.55.) MR. CHANCE (Kilkenny, S.): I have no general objection to the Bill, but there are two sections to which I do take exception. They very properly create new offences. They also declare it is the duty of the accused person to prove his innocence. That is a distinct violation of English law and justice; but I will not press the point. There is,

however, another provision to which, as an Irish Member, I take special objection, and that is the provision in Section 26 as to the fines imposed under the Act. At present these fines are recoverable before the High Court. Section 26 makes the fines, no matter how high the amount may be, recoverable before Justices of the Peace. My experience of Ireland does not prompt me to approve of largely, or at all, extending the jurisdiction of Justices of the Peace. In questions which arise under Excise and Inland Revenue law, I think it is highly undesirable that the jurisdiction should be extended especially under a Bill which creates new offences, and I hope the Government will give us some pledge, at least so far as Ireland is concerned, that the existing law will be left untouched, and that the fines will still be recoverable before the High Court.

THE SOLICITOR GENERAL (Sir E. CLARKE, Plymouth): I may say, with regard to the point put by the hon. Member as to the effect of Section 26 upon Ireland, in regard to the recovery of penalties, as well as the other points that have been noticed, they will be considered by the Grand Committee; and if serious objections should be found to exist in regard to these matters, due weight will certainly be given to what may be urged.

*MR. KNOX (Cavan, W.): I only wish to say that I do not feel quite satisfied with regard to the amount of attention that may be given to Irish interests in relation to this Bill when it comes before the Grand Committee. There may be very few Irish Members present, as the number of those who are on the Committee is not large; and I hold that there are strong objections to making these fines recoverable before a Justice of the Peace. If it is desirable to deal with this question at all, I think it should, at any rate, be before some Court which is more capable of, and more accustomed to, dealing with complicated legal questions than the ordinary Petty Sessions. I venture to ask the Solicitor General to give us some more explicit expression of opinion on the subject, because, unless some strong reason is shown in favour of the extension of the proposed change to Ireland, I think that as far, at least, as that country is concerned, the law ought to be left as it is.

Question put, and agreed to.

Bill read a second time, and committed to the Standing Committee on Law, &c.

INDUSTRIAL ASSURANCE BILL.

(No. 319.)

SECOND READING.

Order for Second Reading read.

*A LORD OF THE TREASURY (Sir H. MAXWELL, Wigton): In asking the House to consent to the Second Reading of this Bill, which I now rise to move, I would say that it is doubtless in the recollection of the House that during the present Session we had a discussion, on the Motion that you, Sir, should leave the Chair, on the general subject of Friendly Societies. From what happened on that occasion there was some evidence of uncertainty on the part of hon. Members who took part in that Debate as to the different kinds and classes of Friendly Societies in this country. The fact that so many different kinds of societies were included in certain provisions of the General Friendly Societies Act of 1875 had led to the assumption that there was not much difference in the object, constitution, and management of these societies. But that is very far from being the case, as was shown by the evidence adduced at the inquiry by the Friendly Societies Committee, which sat in 1888 and 1889. The inquiry by that Committee was practically limited by the terms of reference to the condition of those societies which were Collecting Societies—those which are defined by the 30th section of the Act of 1875 as collecting contributions from members beyond a distance of 10 miles from the head office. There is a clear distinction between such societies, which are managed by paid officials, and the ordinary Friendly Societies, which are usually managed by an unpaid body selected from among their own members; and it might tend to dispel certain apprehensions which have arisen on the

matter if I say at once that this measure is confined entirely to societies and Industrial Assurance Companies doing business by paid collectors. The hon. Member for Sheffield, in the course of the Debate to which I have referred, showed some impatience because the Government had not adopted the recommendations of the Select Committee. The present measure carries the greater portion of those recommendations into effect, and deals with certain evils and risks attending the societies. Those Collecting Societies were described by the Chief Registrar before the Committee as necessary evils. I cannot go so far as to fully endorse that expression, because I know that those societies and the Industrial Assurance Companies do fulfil very important and useful functions in the interests of the classes for whom they are worked. The provisions of the Bill are directed, not so much against thoroughly well-established and well-managed societies, as against those which are utterly rotten and are badly managed, some of which would very likely receive their death blow from some of the enactments of this measure. As to the principal alterations in the law made by the Bill, it is proposed, in the first place, to abolish the ten-mile limit, collection beyond which at present constitutes a Collecting Society, and instead of that definition it is proposed to substitute the condition that any society collecting contributions by paid collectors, whether by commission or salary, should in future be known as a Collecting Society, and should be under the obligation to register at the Registry of Friendly Societies. At present there is no obligation to register; but in future, if the Bill be passed, it will be obligatory under certain penalties for the managers of every such society to do so. Clause 3 is to the effect that no society working by paid collectors shall in future use the designation "Friendly." It seems to be almost necessary to make this provision because of the confusion that has existed in the public mind between this class of society and those societies which are really, in the best sense of the word, Friendly Societies, such as the large Affiliated Orders. By no other means has it been found possible to draw a line between the two classes of societies, and that it is necessary to draw such a line, and that the public should be clearly informed as to the difference, every one who has inquired at all into the subject must be prepared to admit. Collecting Societies existed primarily for the interest of the managers and those who get a living out of them; whereas the great Friendly Societies to which I have referred, and to which the managers give their services gratuitously, exist wholly for the benefit of the members insured in them. Therefore, it is proposed that in future all Collecting Societies shall be called by the title of Industrial Assurance Societies, a title like that which describes the kindred institutions—the Industrial Assurance Companies. The 4th clause contains a very important provision, under which any new society of this description will be required to pay a deposit of £500 as a guarantee into the hands of the Registrar. Clause 5 makes a similar provision in respect of Life Assurance Companies doing industrial business, and I would remind hon. Members that the necessity for this provision has been forcibly demonstrated in the history of some of these companies. I mean such companies as the Yorkshire Provident, companies which existed before the passing of the Life Assurance Acts of 1873 and 1874, and, having been kept in a state of suspended animation, were afterwards resuscitated, and thus avoided the necessity imposed by these Acts of making a preliminary deposit of £20,000. That company existed five or six years, and then came to unmitigated grief, all the moneys invested in it being lost to the policyholders. The 9th clause provides that all societies and companies doing industrial insurance business shall in future place a surrender value on their policies. It is well-known that the immense profits which some of those societies have made have been largely due to lapsed policies. From various causes persons in a humble rank of life and dependent upon the fluctuations of wages find it impossible to keep up the payment of their premiums, whereupon all the money they have paid in premiums is forfeited to the companies. That practice amongst Insurance Companies doing ordinary business should be met, and therefore we propose that after five years every policy shall bear

upon it a surrender value. The 10th clause deals with the question of how far the Chief Registrar of Friendly Societies shall be responsible as referee and administrator of the affairs of Friendly Societies. Is he to be only a Registrar, and do nothing more but register rules, good or bad, as a machine, or has he to exercise a discretionary and beneficial control over the management of these societies? Now, it seems most desirable that if rules and tables are to be submitted to the Chief Registrar for his approval and endorsement, that approval and endorsement should not be formal merely. Therefore by Clause 10 we propose to confer upon him the power to refuse to register such rules as are, in his opinion, contrary to the provisions of the Friendly Societies Acts, and by Clause 11 he has power to disallow rules which seemed at variance with the interests of the members of the societies. Clause 18 provides for more stringent regulations being made than at present exist for the valuation of the assets and liabilities of the societies. Perhaps one of the most important provisions of the Bill is contained in Clause 20, which abolishes the necessity for obtaining the signatures of 500 members before an Inspector can be appointed to inquire into the affairs of the society. It has been found that it is practically impossible to obtain 500 signatures without the aid of the collectors, whose interests may be, and probably are, against such an inspection taking place. By Clause 20 the Chief Registrar, on the application of any member, supported by such evidence as he and the Treasury may think desirable, can order an inspection of the affairs of the society to take place. With reference to the subject of Infantile and Juvenile Insurance, a Select Committee of this House has inquired very carefully into the matter, and the conclusion they have come to is that, although undoubtedly there is evidence of the existence of many cases in which the present facilities have been abused, still the probability is that the extent of the evil has, from its very nature, so impressed itself on the public mind as to cause people to think the evil much more general than it is. My own opinion is that, although there are undoubtedly cases of great cruelty and crime arising out of the insurance of infant life, the prevalence of it is not so great as has been supposed. The Committee, at all events, have come to the conclusion that a great hardship will be inflicted on numbers of deserving people were insurance for children's funeral expenses to be absolutely prohibited. It is not one of the least creditable motives of poor parents that they should wish to make cheap and easy provision for the decent burial of their children. These societies and companies, bad and costly as they are in many instances, still supply a want among the working classes which up to the present has not been otherwise supplied. Therefore, the Bill, instead of prohibiting infant insurance, merely regulates the system, and surrounds it with precautions which will limit the risks of abuse. In asking the House to read the Bill a second time, I do not claim that it is at all a perfect measure. The subject dealt with is highly complicated, and it is proposed to send the Bill to the Standing Committee on Law.

Motion made, and Question proposed, "That the Bill be now read a second time."

(11.23.) MR. T. P. O'CONNOR (Liverpool, Scotland): I think the House will be well advised in agreeing to the Second Reading of this Bill. It will no doubt require much consideration in some of its clauses, but it is beyond question that such a measure is urgently called for by the condition of some Industrial Insurance Societies. I have had exceptional opportunities of becoming acquainted with the amount of suffering and fraud inflicted on the poorer classes by some of these societies, and no public man could do a better service to the working classes than expose some of the fraudulent methods employed. I do not agree with the hon. Baronet in his opinion that it is commendable on the part of the poor to wish to spend a certain amount of money on their children's funerals. I think it shocking that parents should take away from their surviving children what are to them large sums of money to indulge in the empty pomp of a big funeral. If these expensive funerals were done

away with there would be no necessity for infant insurance, and no temptation to the shocking crimes by which the country has been alarmed. One of the most useful clauses of the Bill is Clause 6, to which some of the Industrial Societies have taken particular objection. This clause disqualifies the collector from acting on the Governing Bodies of the societies. At present in fraudulent societies when any question as to the management is raised, the collectors are called in to vote down the objecting members of the organisation. The collectors cannot be impartial because their livelihood depends on the existence of the societies. A strong objection has been raised to Clause 9, which deals with the surrender value of insurance policies. This is a very necessary clause, because at present many poor people are compelled to forego all benefit of the premiums they have paid by inability at some time to continue the payment of the premiums. All the large Life Insurance Offices provide for a surrender value of policies, and there is no reason why the poorer classes should not enjoy the same benefit.

*Sir H. MAXWELL: I wish the House to understand that, although the clause provides for a surrender value, it does not follow that some societies have not made such provision already.

Mr. T. P. O'CONNOR: A legitimate objection has been taken to Clause 14, which compels a collector, if requested, to show the names of the members on his books to any person from whom he collects money. The principle of the clause I think sound, but there are practical objections to it. Collectors sometimes have between 3,000 and 4,000 names on their books, and to compel them to exhibit the names during their rounds might cause great inconvenience. Demands for the production of the books might also be made in the interests of rival societies. I approve Clause 15, which requires that notice in writing should be given to everybody entitled to attend the meetings of a society. The clause relating to the subject of inspection I also think good. The present law requiring that a demand for inspection shall be made by 500 persons is practically inoperative, for poor people are not accustomed to act together in these matters, and cannot combine with facility. A large number of rotten societies have been able to live on from year to year in consequence of the difficulties in the way of joint action on the part of the subscribers. I cannot sit down without joining in the regret that has been expressed at the death of the illustrious Prelate who took so deep an interest in the subject dealt with by the Bill.

*(11.35.) Mr. BARTLEY (Islington, N.): I hope the Bill will be read a second time now, and after amendment become law this Session. I venture to warn the House, however, on one or two points. I think we are apt to exaggerate the importance of registration. Registration will do a great deal of good; but there is the danger that people will depend more on registration than upon the rules. I also think the importance of drawing a distinction between societies—calling some Friendly and others Industrial—is rather exaggerated: people do not go much by the name but by what they get from the societies. Again, we must bear in mind that many people prefer to pay 1d. at the door to paying a ½d. to a much better institution, such as the Post Office to which they have the trouble of taking the money. We must not condemn altogether the societies which collect the subscriptions in this way. Reference has been made to surrender value. Of course, I think, that if there is any surrender value it ought to be paid. But we must remember that if a person pays 1d. or 2d. a week into these societies for five years or so, there is not much surrender value at the end. To do justice to some of these societies I think it will be found that there are exaggerated notions as to the surrender value of the money paid into them. The fact is, many people pay this insurance not as insurance but as a sum to provide for burial. The real *crux* of the Bill is, however, that we are making the Registrar responsible for these societies; that is a point for serious consideration in Committee. The Registrar is to examine the rules, and if he thinks they are not proper or beneficial to the mem-

bers he is practically to refuse to register, and no society can exist if it be not registered. We must recognise that if the Bill passes in anything like its present shape the Registrar of Friendly Societies will become practically responsible for the soundness of these societies. I look with some apprehension on that state of affairs. The hon. Baronet (Sir H. Maxwell) says the registration has nothing to do with the soundness of the societies, but with the rules. The soundness of the society depends on the rules, and the public will feel if the Registrar says the rules are sound and proper and legal, some how or other the society ought to be the same. I hope the House will carefully consider that the present measure really means that the State is really to become responsible for the soundness of these societies.

*(11.43.) MR. LAWSON (St. Pancras, W.): I do not rise to oppose the Second Reading. On the whole, I believe the Bill will have good effect in protecting the poor from fraudulent insurance, but I think we ought to proceed with great caution when we are interfering with our national thrift organisation, imperfect as it may be. I cannot agree with the Registrar who is said to have described the societies as "necessary evils." I do not think they ought to be classed together in that way, for there are some that stand in a very different position from others. I quite agree that there is a marked difference between the Collecting Societies and the great Affiliated Orders. At the same time, Collecting Societies do touch classes not touched by the Affiliated Societies. I do not say that it is not a just and proper thing that there should be a surrender value, but I think it will interfere vitally with the financial arrangements of these societies. In the consideration of this Bill I think the authorities should be heard, and they cannot be before a Standing Committee. I therefore ask the hon. Baronet whether it would not be better to refer this Bill to a Select Committee. I do not speak with any authority, but I am quite certain the societies will have evidence to tender which was not submitted to the Committee over which the hon. Baronet presided. I beg the House to proceed with very great caution in this matter, because the difficulties are greater than appear at first sight. Nothing will be lost by hearing those connected with the great Collecting Societies. The provisions of the Bill will be criticised, not only by the Collecting Societies, but by the Affiliated Societies which have objected to Government interference all through, just as they have lacked Government assistance.

(11.47.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The point raised by the hon. Member has been under the consideration of the Government, and we have deliberately come to the conclusion that it would be best to refer the Bill to a Standing Committee. During two years there has been an inquiry, and, as a result of that inquiry, the draft of this Bill has been embodied in the Report. I believe I am correct in saying that the greatest of the Friendly Societies view this Bill, on the whole, with favour. The Members of the Standing Committee will have an opportunity of being made familiar with the views of the societies, and though the societies will not be heard before the Committee, we shall certainly have that despatch which we should not have before a Select Committee. We are most anxious the Bill should be passed this Session, and there is not much time to lose. I am glad to think that the House is disposed to assist the Government in bringing about a reform which I believe will be of the greatest advantage to a large class of people.

(11.48.) MR. CHANCE (Kilkenny, S.): I do not rise to oppose the Second Reading. It is perfectly evident that some pretty strong step is necessary to prevent the establishment of societies which are nothing less than fraudulent, but I echo the warning given by the hon. Member opposite (Mr. Bartley) that there will probably be some danger in passing clauses which cast on a Government official the duty of declaring to the public whether or not the rules of any particular society are proper or not. I have no doubt whatever that some unscrupulous societies will use the fact that their rules have been passed as in some degree a guarantee by the State. There is another

small matter I wish to refer to. I notice that societies will, after the lapse of one year become unlawful associations unless they are registered. On being registered, a society, however small, is compelled to lodge the sum of £500. No matter how large a society may be, it is not to lodge more than £500.

*Sir H. MAXWELL: That only applies to new societies. It is not retrospective.

Mr. CHANCE: The objection is very much lessened by that fact, which I confess I had overlooked. I can perfectly well understand that in the majority of cases the sum of £500 will be found a reasonable deposit, but there are societies whose operations are so extensive that £500 will mean practically nothing to them. I should like to see some provision inserted in the Bill by which, in the case of large societies, a larger deposit than £500 will be required. But to turn to the other side of the picture, I know of many cases in which the deposit of £500 will be a great deal too much. In Ireland, and especially in seaport towns, there exist small societies which will come under the Bill.

*Sir H. MAXWELL: Not unless they employ paid collectors.

Mr. CHANCE: If the point is made clear my objection will disappear. I submit you will have small societies formed, and if you ask them to deposit £500 you will ask them to do more than they are able. In other cases a £500 deposit will be wholly inadequate. I suggest that a sliding scale might with advantage be adopted.

(11.55.) Mr. CRILLY (Mayo, N.): I wish to point out an objection I feel there is to the 14th clause. The clause provides that a collector of an Industrial Insurance Society shall, at the request in writing of any member whose money he collects, and who has been for more than a year a member of the society furnish a list of names and addresses of the persons from whom he collects money. I know that many poor persons might pay their pennies and sixpences during the week, and would not like their neighbours to know they had paid them.

Mr. Chance

*Sir H. MAXWELL: It does not apply to companies, but only to societies of which the persons insuring are members.

Mr. CRILLY: Well, then, I am quite prepared to follow the example of my hon. Colleague and leave that point, but I think it would be worth while to refer the Bill rather to a Select Committee than a Grand Committee. I think the interests of these societies should be safe-guarded as carefully as possible.

Question put, and agreed to.

Bill read a second time, and committed to the Standing Committee on Trade, &c.

REGISTRATION OF ASSURANCES (IRELAND) BILL.—(No. 190.)

Read a second time, and committed for Monday next.

INTOXICATING LIQUORS (IRELAND) BILL.—(No. 34.)

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [15th April], "That the Bill be committed to the Standing Committee on Law, &c."

Question again proposed.

Debate resumed.

(11.57.) Mr. M. J. KENNY (Tyrone, Mid.): The hon. Member cannot expect that a Motion of this importance can be so easily carried. It deals with a Bill of the very utmost importance. I have placed on the Paper an Instruction on the subject, and I have not had an opportunity of ascertaining the views of the Attorney General for Ireland or the Chancellor of the Exchequer with regard to it. It is perfectly absurd to attempt to proceed now with the Motion of the hon. Member, and I beg to move that the House do now adjourn.

*(12.0.) Mr. SPEAKER: The Debate is adjourned, as it is now 12 o'clock.

Mr. M. J. KENNY: Then I withdraw the Motion.

Debate to be resumed upon Monday next.

House adjourned at five minutes after Twelve o'clock, till Monday next.

HOUSE OF COMMONS,

Monday, 25th May, 1891.

NEW WRIT.

For the County of Derby (Western Division), *v.* Lord Edward Cavendish, deceased.—(*Viscount Wolmer.*)

QUESTIONS.

POSTAL PRIVILEGES OF BRITISH SOLDIERS IN INDIA.

MR. PICTON (Leicester): I beg to ask the Postmaster General if he is aware that the limitation of the postal privileges of British soldiers in India to letters prevents their regular receipt of newspapers from home with the news of their native districts; and whether there is any insuperable difficulty in the way of making the postage of a newspaper to a soldier in India at least as cheap as that of a letter?

THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): I believe it is the fact that the postal privileges to British soldiers in India are limited to letters and do not extend to newspapers. I am afraid that it is not possible to meet the suggestion of the hon. Member without a Parliamentary enactment.

MANIPUR.

MR. CRAWFORD (Lanark, N.E.): I beg to ask the Under Secretary of State for India if he will lay upon the Table Papers showing the precise political relation between Manipur and the Government of India, as fixed either by treaty or general regulations affecting the protected Native States, or otherwise?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): In reply to the question of the hon. Member I have to say that if he will move for the Papers they shall be laid upon the Table.

MR. CRAWFORD: I beg to ask the Under Secretary of State for India whether the Government will undertake that no one shall be put to death in Manipur as a punishment, or in retaliation for the deaths of Mr. Quinton and his companions, until the circumstances of the attack upon the Manipuris has been considered by Parliament?

SIR J. GORST: No one will be put to death in Manipur in mere retaliation for the deaths of Mr. Quinton and his companions. The Secretary of State is surprised that such a question should be asked. But those who are found guilty of the murder of Mr. Quinton and Mr. Melville and their respective companions will be adequately punished without waiting until the circumstances of the affair at Manipur have been considered by Parliament.

SIR W. HARCOURT (Derby): I wish to ask the Chancellor of the Exchequer, in the absence of the First Lord of the Treasury, when further Papers will be presented in relation to the affairs of Manipur. The House will be aware that at present we have had no expression whatever of the views of Her Majesty's Government or of the Secretary of State for India officially as to what has taken place; I, therefore, ask the Chancellor of the Exchequer when further Papers, in addition to those which have already been presented, will be laid on the Table.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I am not in a position at present to say when the Government will be able to place further Papers upon the Table in regard to recent events in Manipur; but, no doubt, the House is entitled to the fullest information it is possible to give on the subject. That information will be given as soon as it is received. Perhaps the right hon Gentleman may think it convenient to move for the Papers with regard to these events. Of course, if a Member in the position of the right hon. Gentleman expresses a wish to have this matter discussed, it will be the duty of the Government to find an opportunity for its discussion.

SIR W. HARCOURT: I think that the course suggested by the right hon. Gentleman will be a convenient one, and in order that the House may be in possession of the state of things and the views of the Government, I will move for further Papers on the subject, and will call attention generally to what has taken place at Manipur. That will

afford an opportunity for discussion of the matter, and when the further Papers are received, it will be for Members to consider whether any, and if so, what further steps shall be taken. I should hope that the right hon. Gentleman will to-day, or upon some early day, mention some date on which the discussion may be taken.

FACTORY AND WORKSHOP AMENDMENT (SCOTLAND) ACT.

MR. CRAWFORD: I beg to ask the Lord Advocate whether his attention has been drawn to the difference of opinion which has arisen in certain burghs in Scotland as to the right interpretation of "The Factory and Workshop Amendment (Scotland) Act, 1888," which provides that—

"There shall be allowed as a holiday to every child, young person, and woman employed in a factory . . . such two whole days in each year . . . as shall be fixed by the Magistrates,"

in lieu of the sacramental fast days; and if he will be good enough to state whether the Magistrates are entitled to fix either or both of these days on a Saturday, or on a day which falls within the New Year holidays, or Summer Fair holidays, already granted by employers and enjoyed by the workpeople according to established custom?

*A LORD OF THE TREASURY (Sir H. MAXWELL, Wigton): In the absence of my right hon. Friend the Lord Advocate, I have been requested to reply to the question. The attention of the Lord Advocate has been directed to this matter, and he desires me to inform the hon. Member that the Act in question is so framed that he cannot say he considers that such fixtures as are referred to in the latter paragraph of the question would be illegal.

MINES REGULATION ACT.

MR. CRAWFORD: I beg to ask the Secretary of State for the Home Department whether his attention has been called to complaints from certain collieries in Lanarkshire, of contraventions of the Mines Regulation Act by the owners, in refusing to pay for any coal in a hutch so far as it exceeds the specified weight of 8 cwts., and in failing to give due facilities for testing weighing-machines, by not providing weights for the purpose; and whether he has inquired into these complaints; and, if so, what steps he intends to take?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Yes, Sir; my attention has been called to these complaints. With regard to the first, I have given direction to the Inspector to arrange for the determination of the legal question in a Court of Law. As to the second, I am advised that there is no legal obligation imposed on the owners to provide weights for the purpose of testing weighing machines. I may remind the hon. Member that Section 15 of the Coal Mines Act of 1887 requires the Inspector of Weights and Measures to inspect and examine the weighing machines at a mine.

SCOTCH BOARD SCHOOLS.

MR. FRASER-MACKINTOSH (Invernessshire): I beg to ask the Lord Advocate whether a child of seven years, healthy in body, who has received certain education in an infant school, can be refused admission to the board school in Scotland of the district within which the child resides?

*SIR H. MAXWELL: Under Article 17 (a) of the Scotch Code, no school is eligible for Annual Grants to which a child is refused admission on other than reasonable grounds. No judgment can be formed as to a particular case until the facts relating thereto are known.

THE MAILS TO SHETLAND.

MR. LYELL (Orkney and Shetland): I beg to ask the Postmaster General whether he is aware that the mail steamship *St. Magnus*, due at Lerwick about midnight on the 7th May, did not arrive until after 5 p.m. on the 8th May, having been detained at St. Margaret's Hope in Orkney for the purpose of discharging cargo, thereby causing a delay of nearly 18 hours to the Shetland mails; also that the SS. *St. Nicholas*, which was due at Lerwick about midnight on the 9th May, did not arrive till 6.30 a.m. on the 11th May, having been detained between Leith and Orkney in shipping cattle, and thus delaying the Shetland mails fully 30 hours; whether he will take steps to secure greater punctuality in the times of arrival and departure of these mail steamers; whether

the mail steamers of the North of Scotland Steamship Company are bound by contract to steam at a prescribed speed which will allow of the trips being completed in fair weather well within the time allowed; whether he is aware that the average time taken by the mail steamers between Aberdeen and Lerwick during the last nine years is about 30 hours, whereas the time should not exceed 24 hours; and if the steamers carried direct from Aberdeen to Lerwick need not exceed 13 hours; and in view of the proposed increase of the mail service between Aberdeen and Shetland, he will time and keep a record of the dispatch and arrivals of the mail steamers at the different ports?

MR. RAIKES: The mail steamers were delayed as stated by the hon. Member. As regards the *St. Magnus*, which was entitled under the contract to call at St. Margaret's Hope, I am informed that a large part of the delay was unforeseen and arose from the unfavourable state of the tide. There was also foggy weather in the early part of the voyage. As regards the *St. Nicholas*, I am not satisfied that the delay was unavoidable, and my Department is in communication with the contractors on the subject. The average time taken by the steamers employed on this Service appears to be 26 hours. A record of their working has for a long time been kept, and will continue to be kept; and the hon. Member may rest assured that in giving effect to any improvement of the Mail Service with the Shetland Isles the Department will take care to provide as far as possible against irregularities.

CLAIMS UNDER THE TITHE ACT.

MR. MORTON (Peterborough): I beg to ask the President of the Board of Agriculture whether any tithepayer, wishing to be satisfied of the correctness of claims made under the new Tithe Act, and applying at the Office of the Board of Agriculture for information, is required to pay a fee of 2s. 6d. for every inspection of the tithe apportionment and map of the parish in which his property is situate; whether in such case he is allowed without any further payment to make extracts from the apportionment and tracings of his property from the map for purposes of identification and reference; whether, should his estate be in two or more adjoining parishes, an additional fee of 2s. 6d. is charged for each parish tithe apportionment inspected, though the visit is made on the same day and time; and whether the same rules as to the payment of fees for the inspection of tithe apportionments prevail throughout England and Wales at the parish vestries and diocesan registries, where copies of such apportionments are deposited, and to whom such fees are payable?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The answer to the first and third paragraphs of the hon. Member's question is, yes. In reply to the second paragraph, the public are not themselves allowed to make extracts from the apportionments or tracings from the maps at the office of the Board, but extracts and tracings are supplied to those requiring them at a small cost. In reply to the last paragraph similar rules as to the payment of fees for the inspection of the copies of the tithe apportionment and maps deposited in the respective parishes and diocesan registries prevail throughout England and Wales, such fees being payable to those having the custody of the maps and apportionments. The question of reducing the fees is under the considera- of the Board at the present moment.

MR. MORTON: With regard to paragraphs 1 and 3 of the question, will the right hon. Gentleman see that the fees are reduced?

MR. CHAPLIN: The question is now under consideration.

REMOVAL TERMS IN SCOTLAND.

MR. ANSTRUTHER (St. Andrew's, &c.): I beg to ask the Lord Advocate whether his attention has been drawn to an article contributed to the *Scotsman* of the 15th May, regarding the confusion and uncertainty that exists as to the removal terms in Scotland; whether he can now give a reply to the Memorial presented to him on behalf of the East of Fife Agricultural Society; and whether he will recommend the Secretary for Scotland to introduce legislation to remedy the inconvenience complained of by the memorialists?

*SIR H. MAXWELL: The attention of the Lord Advocate has been called to

the article mentioned by my hon. Friend and the Memorial of the East of Fife Agricultural Society. Unless by Statute the same days be made the Whitsunday term and Martinmas terms respectively for all purposes, all over Scotland, it seems certain that inconvenience will be felt in some quarters; and the successive changes which have hitherto been made in the law seem to have altered and not entirely removed the difficulty. Whether, however, such uniformity would be free from objection, and whether, assuming it to be desirable, the proper terms would be the 15th May and 11th November, or the 28th May and 28th November, are questions of social convenience upon which the opinion of the various classes interested ought to be further matured before Parliament could proceed with confidence to further legislation, having regard especially to the equivocal success of recent experiments. The Lord Advocate does not, therefore, think it unfortunate that the present engagements of Parliamentary time preclude the idea of legislation this Session, and he will be very happy if, in the interval, further material is placed before the Government by the Public Bodies or by individuals interested.

JEWS AT CORFU.

SIR J. GOLDSMID (St. Pancras, S.): I beg to ask the Under Secretary of State for Foreign Affairs, whether order has been re-established in Corfu; and whether the Jews can proceed about their business without fear of attack or injury?

*SIR J. GORST (for Sir J. FERGUSSON): According to official accounts received from the Greek Government order has been re-established at Corfu, and the Jews have resumed their ordinary occupations. Her Majesty's Minister at Athens telegraphed on the 19th inst. to this effect, adding that the accounts were confirmed by the Austrian Consul at Corfu. The Commander of Her Majesty's ship *Scout* reports that all is quiet at Zante, and that no further apprehension is felt there.

THE *LYDIA PESCHAU*.

MR. WATT (Glasgow, Camlachie): I beg to ask the Under Secretary of State for Foreign Affairs whether the Government have now been informed of the fact that Mr. Edgar Tripp was accredited to Carácas by those interested in the *Lydia Peschau*, and obtained from the Venezuelan Government the revocation of the Decree of Confiscation, and an offer of one-half the amount claimed by those interested; and whether the Government have received any information as to a settlement having been arrived at?

*SIR J. GORST (for Sir J. FERGUSSON): Since the date of the previous answer to the hon. Member, Her Majesty's Government have been informed that Mr. Tripp was sent to Carácas by the consignees of the *Lydia Peschau* and had several conferences with the authorities respecting the claim which, however, led to no result, as the Venezuelan Government are only ready to offer as compensation a sum less than half of that claimed by the Agent of the Consignees. The Board of Trade has been consulted as to the adequacy of the offer under the circumstances of the case.

WEST INDIAN IMPORTS.

MR. WATT: I beg to ask the Under Secretary of State for the Colonies whether the Government are aware if any action has been taken by the Venezuelan Government with reference to the recommendation of the Committee of Congress as to the 30 per cent. additional differential duty charged upon West Indian imports; and, if not, whether, having regard to the importance of the subject to the West Indian Colonies, the Secretary of State will communicate with the Governor of Trinidad upon the subject?

*SIR J. GORST (for Baron H. de WORMS): Her Majesty's Government have not been informed that the Venezuelan Government has taken any action in this matter, and will inquire whether the Governor of Trinidad has received such information.

CIVIL SERVICE WRITERS.

MR. HOWARD (Middlesex, Tottenham): I beg to ask the Secretary to the Treasury whether many writers who have been employed from 20 years downwards upon work superior to copying, have, in consequence of the efficient and satisfactory manner in which they have performed such work, been recommended for promotion to a new per-

manent class; whether writers so recommended for promotion have been required to pass another examination to prove their fitness for the performance of the same work as that which has been assigned to them for so many years past; and whether the Government would in the future consent to forego such additional examination in those cases where the conduct and efficiency of the writers so recommended for promotion have been certified by the chiefs under whom they have served for so many years?

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): A certain number of copyists have been appointed to a new permanent class, where such a class has been proved to be necessary. Such copyists can only be so appointed upon obtaining a certificate from the Civil Service Commissioners, who are the sole judges of the means to be taken for testing qualifications. The Treasury has no power to instruct the Civil Service Commissioners to dispense with any examination which the Commissioners deem necessary.

THE COINAGE.

*MR. CAUSTON (Southwark. W.): I beg to ask the Chancellor of the Exchequer when the Departmental Committee on the new designs for the coinage will make its Report?

MR. GOSCHEN: The Committee on the Design of Coins will not make any Report at present. It was proposed by the Committee that eight artists should be invited to send in designs for the sovereign, half-sovereign, crown, half-crown, florin, and shilling. This proposal was approved, and invitations were issued to the selected artists on March 17 last, together with copies of the conditions which had been prepared by the Committee—all designs to be delivered to the Deputy Master of the Mint on or before October 31st next.

MR. CAUSTON: What is to be done in regard to the four shilling piece?

*MR. GOSCHEN: The Committee, I understand, recommend the withdrawal of that coin.

MASHONALAND.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for the Colonies whether his attention has been drawn to a letter from Mr. Cecil Rhodes, read by Mr. Hofnige at a meeting of the Africander Board in Cape Town, in which Mr. Rhodes states that the Chartered Company of South Africa is prepared to give farms in Mashonaland, on condition that those to whom they are given sign a declaration, on entering that territory, that they will be under the flag and conform to the Chartered Company's rules, and that any person not assenting to this condition will not be allowed to enter the territory; whether the Chartered Company possesses any concession from Lobengula, paramount Chief of Mashonaland, permitting the company to dispose of its land; and whether, in acting as though the land belonged to the company, and in forbidding all or any of Her Majesty's subjects from entering into Mashonaland who decline to sign this declaration, he has the approval of Her Majesty's Government; and, if so, when it was notified to him?

SIR J. GORST (for Baron H. de WORMS): The Secretary of State has seen in a Cape newspaper the letter to which the hon. Member appears to refer, though he does not quote it correctly. Mr. Rhodes does not state that the company is prepared to give farms in Mashonaland. He says—

"As regards the land, I think that as soon as a settlement is possible farmers should be invited into the country. . . . The manner in which the farms would be given out is a subject for future consideration. . . . I can give the assurance that in the final settlement of the country, with the consent of the High Commissioner, no undue preference will be shown. . . . In order to pave the way for this I would suggest that a deputation should proceed from the Cape Colony for the purpose of inspecting and reporting upon the country."

Mr. Rhodes adds the conditions of subordination to the company on which, according to his idea, intending farmers might be admitted to the country; and as the company is charged with the duty of keeping peace and good order among Europeans, the conditions are necessary and reasonable, though they have not yet been formally approved.

MR. LABOUCHERE: Then do I understand that no British subject can go into Mashonaland without signing the declaration?

SIR J. GORST: The hon. Member is not to understand that from the answer

I have given, but he had better give notice of a further question.

FACTORIES AND WORKSHOPS BILL.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the Chancellor of the Exchequer whether it is intended to take the Factories and Workshops Bill this week?

*MR. GOSCHEN: If it is not necessary to proceed with the Newfoundland Bill, we shall put the Factories and Workshops Bill down for Thursday. It has passed through Grand Committee, and we are anxious to make progress with it; but, unless some satisfactory arrangement is come to in the meantime, the Newfoundland Bill must be proceeded with on Thursday.

SCHOOL CHILDREN AND THE IRISH CENSUS.

MR. D. SULLIVAN (Westmeath, S.): I beg to ask the Attorney General for Ireland whether the National school teachers of Ireland are obliged by law to fill up the school Census forms which have been left in their schools; and under what Act of Parliament this obligation arises?

*THE ATTORNEY GENERAL FOR IRELAND (MR. MADDEN, Dublin University): The 4th section of the Census Act, 1890, enacts that the Census shall be taken by means of the forms which were issued under the authority of the Census Act of 1880. One of these forms is a Return of scholars attending schools, which is, I presume, the form referred to in this question.

MR. T. M. HEALY (Longford, N.): Does the right hon. and learned Gentleman think so himself?

*MR. MADDEN: I have stated the provisions made by the Act of 1890 for taking the Census.

MR. T. M. HEALY: Does he think that the section in question throws the duty upon the National school teachers?

*MR. MADDEN: It would be quite impossible to carry out the provisions of the 4th section of the Act unless those school forms are filled up.

MR. T. M. HEALY: I presume that the right hon. Gentleman, as Member for Trinity College, Dublin, is aware of the discussion which has been raised upon the question?

*MR. MADDEN: I offer no opinion as to the expediency or policy of the legislation. All I say is, that the Census must be taken in accordance with the terms of the Act, one of which was that there should be a Return of the number of scholars in the schools.

INTERMEDIATE EDUCATION IN IRELAND.

MR. M. HEALY (Cork): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Board of Intermediate Education in Ireland, in establishing the new commercial course, have provided that it shall first come into effect in the middle grade intended for students in their 17th year; and whether, in view of the fact that youths intended for commercial life in Ireland nearly always leave school when 15 or 16, the Board will consider the advisability of making it applicable to students in the junior grade also? I desire further to know whether the Board of Intermediate Education in Ireland, in fixing the subjects of study in the new preparatory grade and junior grade, have excluded book-keeping, though it has hitherto been a subject of study in the junior grade; whether the practical effect of the new rules is to exclude book-keeping as a subject of study until a student reaches his 17th year; and whether, in view of the fact that youths intended for commercial life in Ireland generally leave school when 15 or 16, the Board will consider the advisability of re-instating book-keeping as a subject of study in the junior grade?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Assistant Commissioners of Intermediate Education report that, in limiting the commercial course to the middle and senior grades, the Board acted in accordance with the views of eminent mercantile gentlemen, whose opinions were submitted to the Board when the establishment of the commercial course was under consideration, the conclusion then come to being that a student should secure a good general education, as provided in the programmes of the preparatory and junior grades, before specialising in commercial subjects. They also report that book-keeping, being essentially a commercial

subject, has been transferred from the ordinary junior grade to the commercial courses now established for middle and senior grade students under 17 and 18 years of age respectively. A student may present in the middle-grade commercial course before attaining his 17th year, provided he has previously passed in the junior grade.

MR. M. HEALY: I beg further to ask the right hon. Gentleman whether the Board of Intermediate Education in Ireland, in fixing the subjects of study in the new preparatory grade, have excluded Celtic, though Celtic has always hitherto been one of the subjects for students, no matter of what age, entered for the junior grade, and all the other languages hitherto prescribed as subjects n the junior grade, namely, Latin, Greek, French, German, and Italian, have been now prescribed as subjects for the preparatory grade; for what reason Celtic has been put on a different footing from the other languages mentioned; whether he is aware that the exclusion of Celtic has caused great dissatisfaction in the schools where Celtic has been studied; and whether the Board will consider the danger that students, if precluded from the study of Celtic for the two years while in the preparatory grade, will not make it a study at all?

MR. A. J. BALFOUR: The matter is now under the consideration of the Intermediate Education Board.

MR. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state when the decision of the Board of Intermediate Education in Ireland as to the contemplated modifications in their new rules will be announced?

MR. A. J. BALFOUR: The decision of the Board of Intermediate Education referred to was made public last Friday evening.

POSTAL FACILITIES TO BERE ISLAND.

DR. TANNER (Cork Co., Mid): I beg to ask the Postmaster General what is the average weekly revenue derived from letters received in and sent from Bere Island, County Cork; and whether increased postal facilities can be accorded the inhabitants of this district?

MR. RAIKES: The average weekly revenue from the letters received in Bere Island is a little over 4s. a week. There is no record of the letters sent from the Island. I regret that a more frequent Postal Service cannot be afforded without adding materially to the present deficiency of revenue.

MR. JAMES SWEENY.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to the case of Mr. James Sweeny, a National school teacher, of Dunmanus, parish of Goleen, County Cork; whether he resigned his school, owing to ill health, after 22 years spent in the service of the Commissioners of Education, and forwarded all the necessary papers to the Pension Office, asking for the retiring allowance due to him; whether he received no answer for three weeks, at the end of which time he died; and whether the allowance in question will be given to the struggling family of Mr. Sweeny, who were dependent upon him?

MR. A. J. BALFOUR: It appears that the late National school teacher referred to, who was dying of phthisis of some duration, continued on in the service until within a short time of his death, when he made application to retire on gratuity in lieu of pension. Before the application could be finally disposed of (there being necessary inquiries to be made), the teacher died. I regret there is no power to award any allowance to the deceased's family in the matter; but the premiums paid by the teacher to the Superannuation Fund have been returned, with interest thereon, to his father.

BALLYCRONANE HARBOUR.

DR. TANNER: I beg to ask the Secretary to the Treasury whether, as the Ballycronane Harbour, County Cork, has within the past few years become the resort of fishing boats engaged in the deep-sea fisheries off the south-west coast, any light will be provided for the harbour in question, as considerable risk in entering the harbour by night is alleged to be incurred?

MR. JACKSON: This harbour was handed over to the Grand Jury of Cork some years ago, and I presume that any question as to the provision for lighting the harbour will rest with the Local Authorities and not with the Irish Board of Works.

PROFESSORS IN THE IRISH QUEEN'S COLLEGES.

MR. T. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Treasury Minute which obliges all Civil servants to retire at the age of 70 will apply to the Professors in the Irish Queen's Colleges; and, if so, whether it will affect the present Professors?

MR. A. J. BALFOUR: The Order in Council of the 15th August, 1890, which renders compulsory the retirement of every officer at 65 years of age, extended in special cases to not exceeding 70 years of age, applies to the cases of all Professors, &c., in the Queen's Colleges who are entitled to superannuation. In such cases as the Professors, &c., do not give their whole time to the Public Service, and who are consequently not entitled to superannuation, the provision does not apply.

BELFAST TELEGRAPH ARRANGEMENTS.

MR. SEXTON (Belfast, W.): I beg to ask the Postmaster General whether he has received a Memorial, signed by the Mayor of Belfast and a number of influential citizens, asking for the establishment of a telegraph office at Cromac Square, Belfast; and whether, considering the distance to the nearest telegraph office, he will make arrangements to have the Telegraph Service extended to the post office already at Cromac Square in that city?

MR. RAIKES: In reply to the hon. Member, I have to say that the Memorial has reached me, and that it will receive my attentive consideration.

BUSINESS OF THE HOUSE.

MR. J. LOWTHER (Kent, Isle of Thanet): In regard to the Vote on Account, which is to be taken to-night, may I ask the right hon. Gentleman how many months it will cover?

MR. GOSCHEN: The amount asked for in the Vote on Account will, in accordance to precedent, cover two months. With regard to the discussion of the affairs of Manipur, I am not able, at this moment, to give any definite answer to the question of the right hon. Member for Derby (Sir W. Harcourt). If the right hon. Gentleman will repeat the question a day or two hence, I shall, I trust, be in a position to give him an answer. A good deal will depend upon the course which is taken in regard to the Newfoundland Bill. That must be proceeded with first. If the necessity for proceeding with that Bill is removed, the Government will be able to see their way to some arrangement for the discussion of the affairs of Manipur.

SIR W. HARCOURT: In reference to the Newfoundland Bill, I would suggest to the right hon. Gentleman that we ought to be placed at once in possession of the definite intentions of Her Majesty's Government. A good deal will depend upon the necessity of proceeding with that Bill or not. In regard to the affairs of Newfoundland, a matter of such great importance cannot be left in doubt as to when it is to come on. We ought to know at once the absolute day on which the Bill will be brought on. The question is one of immense importance, and ample notice should be given to hon. Members, so that there may be a full attendance.

MR. GOSCHEN: Without absolutely pledging myself, I think I may say that the Newfoundland Bill will come on on Thursday, the 28th, or not at all. Unless before Thursday a definite arrangement, satisfactory to all parties concerned, is come to, the Government will feel it their duty to proceed with the Bill. There has never been any doubt upon that point. We have always said that Thursday, the 28th, would be the day for proceeding with that Bill unless a satisfactory arrangement were come to. But that eventuality does not rest with Her Majesty's Government. Therefore, it is not possible to say what day may be set apart for the discussion of the affairs of Manipur.

MR. SEXTON: When is it proposed to take the Land Department (Ireland) Bill?

MR. GOSCHEN: I must ask the hon. Member to defer that question until my right hon. Friend the First Lord of the Treasury is in his place, as it is a question connected with the general policy of the Government.

MR. J. LOWTHER: Arising out of the answers of the right hon. Gentleman to the question which I put to him in reference to the Vote on Account, is the House to understand that the Govern-

ment do not intend to put down operative Supply until the end of July?

MR. GOSCHEN: I am not in a position to say when Supply will be taken, but certainly it will be taken before the date to which the right hon. Gentleman alludes. We are obliged to ask now for a Vote on Account for two months, but I hope that Supply will be taken and finished long before that.

SIR W. HARCOURT: There has been a growing practice of late years to take Votes on Account for up to the end of the Session, and that is really the proposal now made. The fact that the Session commenced in November ought to be taken into consideration, and some reason ought to be given why one month will not be sufficient for the Vote on Account.

MR. J. LOWTHER: May I ask if the Government will limit the Vote to one month?

MR. JACKSON: The invariable practice has been followed in making the Vote on Account for two months. [*Cries of* "No."] Unquestionably it has been the practice to take Votes on Account for two months. The first Vote on Account was taken for two months, and also the second. The fact that 30 or 40 Votes have been taken makes no difference, as the Vote on Account must cover the whole of the remaining Votes. Of course, it is desirable to take Supply as early as possible, and the Government would only have been too glad to get the Votes, so as to have prevented the necessity for asking for a Vote on Account.

MR. J. W. LOWTHER: The right hon. Gentleman has omitted to notice the real point, namely, the backward state of Supply.

MR. H. H. FOWLER (Wolverhampton, E.): Can the Chancellor of the Exchequer say when the Factories and Workshops Bill will be taken? I understand that it is to be taken on Thursday if the Newfoundland Bill is not taken, but will the right hon. Gentleman fix a day—if not now, at any rate to-morrow? The Bill will involve the attendance of a large number of Members who are not now in London, and my right hon. Friend the Member for Sheffield (Mr. Mundella), who is at present an invalid, is anxious to be present. Therefore, it is desirable that there should be ample notice, and I will ask the right hon. Gentleman if he will state positively to-morrow when the Bill will be taken?

MR. SEXTON: Will the Report stage of the Land Purchase Bill be taken on this day week?

MR. BARTLEY (Islington, N.): Will the Education Bill be taken before operative Supply or not?

MR. GOSCHEN: With regard to the last two questions, I cannot give an answer in the absence of the First Lord of the Treasury. With regard to the Factories and Workshops Bill, the Government will be glad to consider the suggestion which has been made. I can quite understand that it is inconvenient to have the matter left in doubt and uncertainty; and if a decision can be arrived at by to-morrow, I shall be glad to communicate it to the House. Whether it can be taken on Thursday will depend upon what is done with reference to the Newfoundland Bill. I think it would be a great pity to lose a convenient opportunity of making progress with this important measure.

MR. DE COBAIN.

MR. T. M. HEALY: May I ask whether it is intended to allow Mr. De Cobain, Member for East Belfast, an opportunity of attending in his place, or is it proposed to take action for his expulsion when the First Lord of the Treasury returns? I would suggest that, in addition to a copy of the warrant which has been issued against the hon. Member, and which has been presented to the House, it would be convenient if copies of the depositions were obtainable in some way, or else that a Select Committee, consisting of two or three Members of the House, should satisfy themselves, as a kind of Grand Jury, whether there is a *primâ facie* case against the hon. Member.

MR. GOSCHEN: It is the intention of the Government to submit a Motion on the return of my right hon. Friend the First Lord of the Treasury, allowing, according to precedent, a certain time to Mr. De Cobain to appear in his place in the House. If he does not present himself at the end of that time, then the Government will propose to take

such measures as the House may think applicable to the circumstances of the case, after all the precedents have been examined.

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICES AND REVENUE DEPARTMENTS.

VOTE ON ACCOUNT.

SUPPLY—considered in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That a further sum, not exceeding £4,208,100, be granted to Her Majesty, on account, for or towards defraying the Charges for the following Civil Services and Revenue Departments for the year ending on the 31st day of March, 1892, viz.:—

CIVIL SERVICES.

CLASS I.

	£
Surveys of the United Kingdom ..	40,000
Harbours, &c. under Board of Trade, and Lighthouses abroad	4,000
Peterhead Harbour	- -
Caledonian Canal	1,000
Rates on Government Property (Great Britain and Ireland)	10,000
Public Works and Buildings, Ireland	40,000
Railways, Ireland	30,000

CLASS II.

United Kingdom and England:—

House of Lords, Offices	12,000
House of Commons, Offices.. ..	11,000
Treasury and Subordinate Departments	16,000
Home Office and Subordinate Departments	16,000
Foreign Office	19,000
Colonial Office	8,000
Privy Council Office and Subordinate Departments	3,000
Board of Trade and Subordinate Departments	25,000
Bankruptcy Department of the Board of Trade	- -
Board of Agriculture	7,000
Charity Commission	7,000
Civil Service Commission	8,000
Exchequer and Audit Department ..	10,000
Friendly Societies, Registry ..	1,500
Local Government Board	28,000
Lunacy Commission	3,000
Mercantile Marine Fund, Grant in Aid	15,000
Mint (including Coinage)	5,000
National Debt Office	2,500
Public Works Loan Commission ..	1,500
Record Office	3,000
Registrar General's Office	10,000
Stationery Office and Printing ..	110,000
Woods, Forests, &c., Office of ..	2,000
Works and Public Buildings, Office of	8,000
Secret Service	10,000

Scotland:—

	£
Secretary for Scotland	2,000
Fishery Board	3,000
Lunacy Commission	800
Registrar General's Office	5,000
Board of Supervision	1,600

Ireland:—

Lord Lieutenant's Household ..	1,000
Chief Secretary and Subordinate Departments	7,000
Charitable Donations and Bequests Office	300
Local Government Board	15,000
Record Office	800
Public Works Office	2,000
Registrar General's Office	10,000
Valuation and Boundary Survey ..	5,500

CLASS III.

United Kingdom and England:—

Law Charges	12,000
Miscellaneous Legal Expenses ..	10,000
Supreme Court of Judicature ..	65,000
Land Registry	500
County Courts	30,000
Police Courts (London and Sheerness)	3,000
Police, England and Wales ..	8,000
Prisons, England and the Colonies ..	90,000
Reformatory and Industrial Schools, Great Britain	80,000
Broadmoor Criminal Lunatic Asylum	4,000

Scotland:—

Law Charges and Courts of Law ..	25,000
Register House	6,000
Crofters Commission	1,500
Prisons, Scotland	15,000

Ireland:—

Law Charges and Criminal Prosecutions	15,000
Supreme Court of Judicature, and other Legal Departments	16,000
Land Commission	15,000
County Court Officers, &c.	17,000
Dublin Metropolitan Police, &c. ..	12,000
Constabulary	250,000
Prisons, Ireland	16,000
Reformatory and Industrial Schools ..	27,000
Dundrum Criminal Lunatic Asylum..	1,000

CLASS IV.

United Kingdom and England:—

Public Education, England and Wales	830,000
Science and Art Department, United Kingdom	90,000
British Museum	35,000
National Gallery	2,000
National Portrait Gallery	400
Scientific Investigations, &c., United Kingdom	6,000
Universities and Colleges, Great Britain..	20,500
London University	2,000

Scotland:—

Public Education	150,000
National Gallery	400

Ireland:—

Public Education..	180,000
Endowed Schools Commissioners ..	100
National Gallery	500
Queen's Colleges	1,500

CLASS V.

	£
Diplomatic Services and Consular Services	60,000
Slave Trade Services	1,500
Colonial Services, including South Africa..	30,000
Cyprus, Grant in Aid	5,000
Subsidies to Telegraph Companies, &c.	16,000

CLASS VI.

Superannuation and Retired Allowances	120,000
Merchant Seamen's Fund Pensions, &c.	5,000
Friendly Societies Deficiency ..	— —
Miscellaneous Charitable and other Allowances, Great Britain ..	700
Pauper Lunatics, Ireland	40,000
Hospitals and Charities, Ireland. ..	5,000

CLASS VII.

Temporary Commissions	5,000
Miscellaneous Expenses	2,000
Pleuro Pneumonia	— —
Total for Civil Services	£2,848,100

REVENUE DEPARTMENTS.

Customs	100,000
Inland Revenue	100,000
Post Office	600,000
Post Office Packet Service	160,000
Post Office Telegraphs	400,000
Total for Revenue Departments	£1,360,000
Grand Total	£4,208,100

(4.15.) MR. LABOUCHERE (Northampton): I think that before we take this Vote on Account we ought to have some more clear and definite explanation from the Government as to the course of Public Business. The right hon. Gentleman has told us that he is unable to say when the Education Bill will be brought in.

THE CHAIRMAN: Order, order! I do not see how that subject is appropriate upon the present Vote.

MR. LABOUCHERE: I will explain the line I am about to take. I object to the Vote entirely, and I propose to conclude with a Motion to report Progress on the ground that the House has not received a sufficient explanation as to the course of Public Business. The House met in November, and it is now the 25th of May, which is practically, to all intents and purposes, equivalent to the 25th of June in an ordinary Session. I do not think the Government have any right to complain of the action of any Member of the Opposition during the present Session, either in regard to the Tithes Bill or the Land Purchase Bill. When we met in November there was no Debate on the Address, and in that month both the Tithes Bill and the Land Purchase Bill were read a second time. When we came back at a somewhat early period in January we went into Committee on the Tithes Bill, and the Land Bill, which was the most important measure in the Government programme, was only taken in Committee on the 12th of April. I do not think that any complaint can be made of the action of the Opposition in regard to the Land Bill. When the Irish Land Bill of the right hon. Gentleman the Member for Mid Lothian was brought in, 24 days were occupied in discussing it in Committee; and if the Government look at their own attitude in regard to that Bill, I am sure they cannot complain of the discussion which has taken place upon the present measure. But there is another Bill which we are told is to be brought in this Session—the measure respecting free or assisted education—for sometimes the Government call it by the one name and sometimes by the other. We do not even yet know whether it is to be for free or for assisted education, and the Bill, which was promised some weeks ago, has not been laid on the Table of the House. The country and the House will certainly want some time in which to consider it. We certainly ought to be told at once whether the Bill is really going to be brought in, and if it is, when it will be laid on the Table. The right hon. Gentleman says that we must wait for the advent of the First Lord of the Treasury. I am sure that we have all very great respect for that right hon. Gentleman, that we regret the cause of his absence, and are glad that he is able to take a holiday; but, at the same time we must look at these matters from a practical standpoint, and before we vote this large sum on account we ought to have some distinct pledge from the Government as to when it is intended to bring in the Bill for free or assisted education. I beg to move, Mr. Courtney, that you do now report Progress, and ask leave to sit again.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Labouchere.*)

(4.20.) MR. J. LOWTHER (Kent, Isle of Thanet): The hon. Gentleman opposite has extended his observations beyond the purely financial point we have to consider. I have no wish to put any question to the Chancellor of the Exchequer as to the introduction of any new measure. On the contrary, I think it is desirable to take a survey of the state of public business generally before we undertake any further business, and I certainly should not urge the Government to be beguiled into promising to introduce any fresh legislative measures. As to the immediate question before us, I think it would be well to consider seriously the state of public business generally before determining to add to the bulk of that business. But my object in rising is to inquire whether we shall really be following precedent closely if we pass this Vote on Account, or whether we should not rather be establishing what may be an extremely dangerous precedent. It is, no doubt, true that Votes on Account have been very prevalent in recent years, but I think it deplorable that they should have been. Such votes used at one time to be regarded with very great jealousy. We have been told that two months is the normal period for which these Votes on Account are granted. Possibly recent precedents justify that statement, but some years ago two months would undoubtedly have been considered a very long period. Supply is now in an unusually backward state, and what the Committee are asked to do is to grant the Government money enough to last beyond the period at which we have been repeatedly assured the labours of the Session will terminate. Whereas the main function of the House of Commons, from a constitutional point of view, is the consideration of the Estimates and the control of Supply, we are now asked practically to give up the time that remains for the discharge of that function, in order that measures which are not financial and not nearly as important as Supply may be proceeded with. I hold that unless a pledge is given that operative Supply will be taken in the near future the Committee will not be justified in passing this Vote. I trust, therefore, that the Chancellor of the Exchequer will name a date when Supply will be put down and a *bonâ fide* effort made to forward it in a legitimate way.

(4.25.) MR. A. O'CONNOR (Donegal, E.): I wish to say a word or two by way of protest against the course proposed by the Government, as I believe it to be a grave constitutional abuse. The principal functions of the House of Commons are to guard the public purse and to control the public burdens, and the machinery provided for the discharge of those functions is such as gives the House a complete hold upon the whole administration of the country. For that purpose the Estimates are divided into a large number of classes and heads, in order that each particular branch of the Administration may be passed in review by the Representatives of the people. But if all the funds that are necessary for carrying on the work of Government are to be granted by a series of Votes on Account, the control of the House of Commons will be reduced to a nullity. This view has been emphasised by the right hon. Member for Mid Lothian, who, some years ago, denounced the system of Votes on Account as a grievous constitutional abuse, and said that he believed that if a Minister were deliberately to set himself to undermine the Parliamentary constitution of this country one of the most effective means which he could adopt would be the means afforded by this system. What the right hon. Gentleman then said was very true. This Vote on Account is now proposed for a period which, according to the information before us, will see the termination of the Session. Where then, is the effectual check upon the Government? In recent years promises have been made more than once that Supply shall be taken early in the Session, but those promises have not been kept. A late period of the Session has now been reached, and if this Vote is passed, what assurance shall we have that there will be any effective review by the House of Commons of the general administration of the country? The Government having obtained this money will be able to postpone the consideration of the Votes in

Supply until the end of July or later, when the weariness of Members will prevent them from devoting adequate attention to this important work. The abuse has been growing by degrees during the last 15 or 20 years. One reason why Supply is not disposed of earlier in the Session is that Governments always think it necessary to bring forward an ambitious programme of measures, with the result that whilst the programme itself is never fulfilled the ordinary normal duty of the House is almost completely neglected. I do not say that the present Government is more responsible or more to blame than Liberal Governments have been, but the result is that Government after Government have seemed to regard Parliament simply as a legislative machine for grinding out a number of Acts of Parliament. I shall certainly divide against the Vote on the ground of principle, for I believe that our primary functions are being lost sight of, and that there is great danger of the proceedings of the House in respect of Supply degenerating into a farce.

(4.32.) MR. ESSLEMONT (Aberdeen, E.): I wish also to add a word of protest. I fully concur with what has already been said. The hon. Member for Northampton (Mr. Labouchere) says we ought to be a month ahead of the usual work of the Session. The hon. Gentleman has very much understated the case. Let me point out that not only did the House originally meet in November, but that it met again after Christmas, early in January instead of February. Consequently, this period of the Session corresponds to a period two months later in a normal Session. When Members were asked to meet in November, after a short Autumn Recess, and to meet again in January, they did so, but now they are asked to give a Vote on Account for two months. That is not carrying out the engagement which the Government entered into with the House. What we are alarmed at is this: A Vote on Account for two months will bring us up to the beginning of August, and points to a Session which will last until September.

(4.34.) MR. T. M. HEALY (Longford, N.): It ought not to be forgotten that we have only had four days' holiday, whereas the First Lord of the Treasury will have had a fortnight. When the right hon. Gentleman opposite (Mr. J. Lowther) put a question in regard to this Vote, I asked myself if he had any motive in directing attention to the subject, and whether he had been put up by some Member of the Treasury Bench. We are accustomed, of course, to this annual grumbling, and I was wondering whether the objection really was to the backwardness of Supply or to the possibility of an early vacation. Constitutional procedure has long been forgotten, and I thought there must be some motive for this sudden outburst in favour of a return to the customs of the old Constitution. We now understand exactly where we are, and I should like to ask some questions with respect to the remaining Irish business. It is quite true that Members were brought to this House in November; I will say nothing about that, there is no help for spilt milk; but are we to be brought here again next November? It is all very well for Members who live on this side of the Channel, for right hon. Gentlemen who represent the Strand and other parts of London, who can jump into a hansom and visit their constituents for 1s., and for right hon. Gentlemen who can take longer holidays when they choose; but Irish Members have to cross the Channel at considerable expense to themselves, and to travel long journeys. The only chance I see of doing away with November Sessions is to sit on until August. Therefore, I would express the strong hope that the Government will go on with Supply and the Vote on Account, and proceed also with the Land Department Bill, and the promised Education Bill, so as to keep the House sitting, if possible, till the month of September, because I feel that such a course will prove the only safeguard the Members of this House can have against the wearisome Winter Sessions to which they all object.

(4.40.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): There was one observation which fell from the hon. Member who has just spoken as to which I must say a word. I am quite sure that the immense majority of the House will be perfectly satisfied that if my right hon. Friend the First Lord of the Treasury is not now in

his place, it is not because he desired a longer holiday than other Members, but because he is acting upon medical advice. There are other Members in a similar condition who are not able to give that constant attendance in the House which my right hon. Friend always gives when he is able. There is a great deal which has fallen from hon. Members with which I am prepared to agree. I agree with my right hon. Friend the Member for Thanet (Mr. J. Lowther) that I ought not to make any premature declarations as to the course which the Government may take. The Government are reproached with the state of business at the present moment. One hon. Member after another has got up to protest against the condition to which the Business of the House has been brought. But, I ask, how far does the blame for that lie at the door of Her Majesty's Government? What has brought the House into its present position? I am not going to make any charge against hon. Gentlemen of having wilfully obstructed Public Business. Hon. Members say that the Government are too ambitious, that they put too many measures into the Queen's Speech, and bring before the House too large a programme. This time the Government, guided by the experience of the past, put fewer measures into the Queen's Speech than in previous Sessions. There were two measures put in the forefront. We were bound to pass the Tithe Bill and the Land Bill——

MR. T. M. HEALY: And the Land Department Bill.

MR. GOSCHEN: We might have done that if the hon. Member and others had not taken up so much of the time of the House. Was not that programme of the Government one which has met with the approval of the House?

MR. A. O'CONNOR: Yes; if the Government would take Supply early.

MR. GOSCHEN: If we did not, it was because hon. Members considered it more important to discuss sometimes one line, sometimes a few words, in the Tithe Bill or the Land Bill at such length that it was impossible for us to make such progress with those Bills as we should desire. The Tithe Bill passed through Committee after ample discussion, but with that minute and prolonged examination which, if continued, would render the House of Commons helpless for performing what my right hon. Friend says is its chief function. If Supply is its chief function, that should make hon. Members more moderate in the length of time they take up, or else large and important measures cannot be introduced; or, if they are, Supply cannot be taken at the proper time. The Tithe Bill, on Report, occupied the time of the House night after night. I am not complaining, but I must say that there was no sense of proportion in the length of time devoted to the various parts of the Bill. I say the same with regard to the Land Bill. I admit the extraordinary ability and intelligence shown by hon. Members in discussing that Bill, but there were several parts of the measure which did not require such minute criticism and such prolonged discussion. It is those hon. Members who insist upon prolonged discussion who are depriving the House of the time which might be devoted to the business of Supply. Do hon. Members think that we could stop the Land Bill in the middle to take Supply? What does the hon. Member for North Longford say to that?

MR. T. M. HEALY: I should be glad.

MR. GOSCHEN: But other hon. Members from Ireland would complain of being put to the expense of going to and fro, and that was a complaint which we did not desire to occasion. We have curtailed the holidays of this House in order that we might bring on the Business of the House at an early date, and we have done all we can to expedite business. There has been no loss of time on the part of the Government. During the whole Session we have gone straight forward with the Bills in the Queen's Speech. We have dealt with the Tithe Bill and with the Land Bill; and with regard to Supply, if there is anything to regret, it is that we are not in a position to redeem our promise to proceed with it as early as possible. The Government are perfectly aware of the desire of the House to proceed with Supply; but we should deal better with Supply if on other matters too much time were not spent in minute and prolonged discussion. But there are Members of this House who, I think, have given utterance to the view that sometimes they have the desire to obstruct measures; and I think there has

been exhibited a disposition to prolong discussion for the purpose of putting off measures. Therefore, if we had put down Supply at an earlier day, it is possible that Supply would have been used for delaying further progress with the Bills. If this was a measure that the bulk of the House objected to our introducing, then I could understand what has been said; but we know now that the Bill is one which is accepted in all quarters of the House. ["No, no."] Those who were present during the discussions on the Bill are well aware of that, if the right hon. Gentleman is not. The Bill received support from all who were present at the discussion. At all events, we were bound to push on, and I cannot at all accept the theory that the time of the House has been wasted by the arrangements which the Government have made. It is not too late yet. If hon. Members will co-operate with the Government in shortening discussion within legitimate limits, we have still plenty of time to rise at an early date after having passed the measures we desire to pass, and thus relieve the House from those discussions to which the hon. Member for North Longford has called attention.

MR. T. M. HEALY: Are we to meet in November?

MR. GOSCHEN: The only answer I can make to that question is that all necessity for meeting in November would be obviated if the House would only resume its old habits of discussing the business before it, and cease to discuss matters at that interminable length of which the hon. Member is well aware, he having frequently contributed with great ability to the enlargement of our discussions. With regard to this particular Motion for a Vote on Account for two months, we are following precedent, and I can assure my right hon. Friend the Member for Thanet that there is not the slightest desire on our part not to go forward with Supply. I hope we shall give as much time to Supply as the House will think that Supply should require.

(4.53.) SIR W. HARCOURT (Derby): I am sure that both sides of the House will sympathise with the Leader of the House that the state of his health does not allow him to return to his accustomed place, and we shall all regret that the consequence of that is that the Chancellor of the Exchequer is not in a position to tell us what business is to be done. What is the answer of the right hon. Gentleman to every question put to him with regard to the Business of the House? The right hon. Gentleman says he has no authority to answer the questions put to him until the return of the First Lord of the Treasury. If that is the condition of affairs, we might just as well have had our holidays extended to next Thursday. Every one knows that time is wasted if the House does not understand what is to be the order of business. This is not a situation that the House of Commons ought to be placed in—to be called upon to give a Vote on Account for two months, and the responsible Minister of the Crown saying he has no authority to tell us what business is to be taken in these two months. The Chancellor of the Exchequer tried to throw all the fault on the House and off the shoulders of the Government. He said there was a great deal of discussion on small points, and that there was not a sufficient regard to the proportionate importance of the questions discussed. Let me apply that criticism to the conduct of business by the Government. What was the first great measure of the Session? The Tithe Bill. Was there ever such an example of waste of time on small subjects? Why was not the Land Bill put as the first measure? Why was the Tithe Bill made the first horse of the Government, and why was so much time wasted over the Tithe Bill? Why was the Education Bill kept back? That Bill was mentioned in the Queen's Speech in November, and it is not to be introduced until June. No such example of delay can be found anywhere. I may say, with reference to the Education Bill, that that matter necessarily forms part of the general subject of the finances of the country, and if it were not that so much money is to be devoted to the purposes of free education, we should have a surplus of £2,000,000 to dispose of in the relief of general taxation. It therefore forms a part of our expenditure. The right hon. Gentleman is going to bring in his Budget Bill to-morrow, but we are not to know what is to be the character of the Bill to which the money is to be devoted. Such an extraordinary

state of things I cannot recollect as that which is brought about by the confusion now existing between measures and finance. The Chancellor of the Exchequer smiles. Let him give me an instance to the contrary. Well, Sir, that is the position in which we are placed. What we want before giving this Vote on Account is some assurance that Supply shall be properly discussed. The plan of the Government is to get Supply as much out of the way as possible. It is not a mere question of money Votes; it is a question of the control of the administration of the country, and, therefore, the object of the Government is to postpone or compress Supply into the smallest space possible. The most effective course, in my opinion, would be to diminish the Vote on Account by one-half—that is, make it for one month. I quite agree with what has been said about the Winter Session. I do hope that the mess and muddle made by the Government this Session will warn them against attempting a November Session again. I think that a more unsuccessful experiment has never been made by any Government. Pledges have been held out that we are within two months of the end of the Session, and yet we have made very little progress with Supply, and the Government are not in a position even to introduce what ought to be one of the most important measures of the Session. That is an utter condemnation of the November Session, and I hope we shall learn a lesson not to repeat the experiment. The Government not only want to drive Supply into a corner, but to spring the education scheme on the country by surprise. They will say, "We have only got two or three weeks left. Take it or leave it." There would be no time for the country to consider it, or for the House of Commons to discuss it. I should be glad if an opportunity were afforded to protest by my vote against such a method of disposing of Public Business. The Chancellor of the Exchequer might have authority to speak with regard to Supply, if with regard to nothing else, and might tell us when it is to be taken, how it is to be conducted, and how long a time we are to have to consider it. We might then form some opinion as to the prospects of the future; but that we should be called on to give a Vote on Account which will cover the whole of the residue of the Session, while the Chancellor of the Exchequer cannot tell us till the First Lord of the Treasury comes back what business is to be done, is a state of things which, I say, is without example or precedent. I should be glad if an opportunity were afforded to protest by my vote against such a method of disposing of Public Business.

*(5.0.) MR. GOSCHEN: There are one or two points in the speech of the right hon. Gentleman to which I must reply. He suggests that time has been lost by the course taken by the Government. The right hon. Gentleman has not been in the House to see what capital progress we made on Thursday and Friday.

SIR W. HARCOURT: I did not obstruct.

*MR. GOSCHEN: The right hon. Gentleman says he did not obstruct, but he did not lend the advantage of his presence in order to exercise his influence for the shortening of debate—an influence which I am sure would have been all powerful. In point of fact, the Government have gained time by the course taken, and they are making progress by taking a Vote on Account. To-morrow we take the Budget Bill, and I have announced the business for Thursday, so that in view of the announcements I have made it is untrue to say that the Government have blinded the House of Commons by not letting them know the course of business. I challenge the right hon. Gentleman to say whether there is an instance on record, whether he was in office or not, when at this date a declaration was made as to when Supply should be taken, how many days should be devoted to it, and the exact progress that should be made with it. It is never possible to make these anticipations. The right hon. Gentleman further said it was unprecedented to put measures into the Queen's Speech which were not produced till before May or June. Why, during the administration of the right hon. Gentleman himself, the Local Government Bill was announced in two, if not in three, Queen's Speeches, and never produced at all. The right hon. Gentleman says the Government have brought Public Business into a state of mess and muddle; on the contrary, I doubt whether it is possible to name any previous Session in

recent times when two great contested measures, such as the Tithe Bill and the Land Purchase Bill, have been disposed of more satisfactorily, looking to the magnitude of those measures. I deny that the experiment of calling Parliament together in November has not succeeded. The Government regret that so much time has been taken over the Bills mentioned, but the very fact that those Bills have required so much time justified us in calling Parliament together, and we have no reason whatever to regret the course taken.

*(5.6.) MR. MORTON (Peterborough): It was distinctly understood when the Government called us together in November last, that it was to give us the opportunity of considering the Estimates in good time. I do not think they have kept their pledge at all; on the contrary, it appears to me that they have done all they could to put off the discussion of the Estimates. I can understand that it may be necessary to have one Vote on Account, during the financial year, for the purpose of facilitating the carrying on of the business of the country, but I strongly object to having a second Vote on Account. With these constant Votes on Account it is impossible to satisfactorily criticise the Estimates, for the reason that when they come before us the money is, to a large extent, already voted; moreover, Supply is in this way thrown back to a late period of the Session, when it is difficult to get Members to attend, and when they have to sit up all night if they want to discuss the Estimates. These Votes on Account prevent the proper discussion of the Estimates. I do not know whether it is the deliberate intention of the Government by this means to rush the Estimates through, but it certainly looks like it. It may be that we ought to have Finance Committees to consider these matters previous to their coming before the full House; but it is quite certain that if we do not have a system of that kind, at least one day in the week should be set aside for the consideration of Supply, no matter what business is before the House. There is no reason why this should not be done from the commencement of the Session, so as to enable the business of Supply to go on in a regular and proper way. It has always been said to be the chief duty of the House of Commons to consider the question of the expenditure of public money. At present we have no adequate opportunity of doing so. Some of the objects for which we are now asked to vote money we should object to if we had an opportunity of discussing them, and our objections might prove successful. There is the Secret Service money, for instance. If this were properly discussed, in all probability we should get rid of this altogether. If we are to be told that the Government mean to push through all these items, and to use their majority for the purpose, we understand the position. It is all nonsense to say that a day cannot be devoted to Supply during the Committee stage of such a measure as the Land Purchase Bill. It is quite possible to stop the progress of a Bill and take up another subject—why, even the Leader of the House proposed such a course the other day in favour of the Women's Suffrage Bill. To allow an interval of a day during the progress of a Bill in Committee will often tend to facilitate matters by enabling Members to understand and formulate Amendments. The Government, by their policy of introducing obnoxious Bills at the beginning of the Session—such a Bill as the Land Purchase Bill, against the principle of which they were all pledged at the General Election—throw over the discussion of the real business of the House. The Government will not tell us what they intend to do in regard to education—although there is an item in the Vote in regard to that subject. I am not surprised that they do not know what they are going to do. They talk about free education, but that is only for election purposes, for on other occasions they only call it "assisted education." They have thrown out the idea with the view of seeing what their Church friends in the country have to say about it. I shall be pleased to vote for as much free education as the Government will give us, and I shall be glad to know the difference between "free education" and "assisted education."

(5.13.) MR. PICTON (Leicester): There is one obvious way in which the Government can facilitate matters, and that is by consulting public opinion in regard to the subjects on which they legislate. In the Queen's Speech reference was made to the Tithe Bill, the Irish Land Purchase Bill, and free education. Well, what would common sense suggest as to the order of these measures? The country, from one end to the other, is in favour of free education, whereas the Tithe Bill and Land Purchase Bill have excited the most intense division of opinion. The Opposition cannot be blamed therefore if they have discussed those measures at fair length. Had the Government put in the fore-front free education, they might have carried it through in a very few weeks and have had all the prestige of that measure to fill their sails in carrying the other Bills. I believe that, after all, the complaint about obstruction is merely to disguise the feeling the Government have that they are rowing against the stream of public opinion. As to the inconvenience of Votes on Account, it is not only what may be called domestic affairs that have to be considered, but there are great interests of this country in various quarters of the world—such as the troubles in Mashonaland, the little war in Witu, where a great deal of cruelty was practised, and the disturbances in Manipur—and it is only in Supply that these important questions can be discussed, and those opportunities we are deprived of by the system of Votes on Account. The whole of the traditions of Parliament in regard to Supply seem to have changed of late years. In former times there were continual conflicts—which, happily, have passed away—between the House of Commons and the Supreme Executive Authority, and in those days the Whole House united in keeping its hold upon the public purse. All Members were agreed that the consideration of grievances should precede the granting of Supply. But those days have passed away. The Supreme Executive Government practically rests with the majority for the time being, and the majority, being omnipotent, is quite satisfied to shovel out public money lavishly in pursuit of its own ends. I think the majority should have a little more patriotism than this. They ought to remember the traditions of this House; at any rate it is essentially the duty of the minority in the House to protect the public purse, and to see that the money of the nation is justly applied to its proper uses. I protest, under the circumstances, against the House being called upon to vote another sum on account, and, I think the Government ought to be content with one month's Supply.

(5.18.) MR. H. H. FOWLER (Wolverhampton, E.): The Chancellor of the Exchequer did not answer one question put to him, but managed adroitly to steer clear of it—namely, at what period does he expect the Session to end? We are not challenging the Vote on any general principle against Votes on Account, nor any statement that Votes for two months have not been granted before, but rather that there is no record of a Vote on Account being granted for a period co-terminous with the Session. The Government having induced the House to meet in November last, on the understanding that the Session would end in the following July, it will certainly be a breach of faith if the understanding is not carried out. With regard to free education, I am a little surprised that the hon. Member for Leicester does not, with his usual discernment, quite apprehend what the Chancellor of the Exchequer says on that point. The hon. Member complains that the right hon. Gentleman gave him no information on the subject; but, on the contrary, he gave him a great deal. The Chancellor of the Exchequer told him that the Free Education Bill is not to be brought in until the Report on the Irish Land Purchase Bill is disposed of. That, however, is inconsistent with the statement made some time ago by the First Lord of the Treasury, that the Bill would be brought in directly after the Committee stage of the Land Purchase Bill.

MR GOSCHEN: That is not my recollection; but if my right hon. Friend the First Lord of the Treasury said that, his undertaking will be carried out. I

do not desire to modify by one inch the declaration made by my right hon. Friend.

MR. H. H. FOWLER: I merely state what is my impression. If the Bill is not to be brought in for another week or fortnight, not until after the Report stage of the Land Bill, we shall then be within measurable distance of the end of the Session, and to bring in such a Bill — one of the most important measures of the past 20 years, and in regard to which very strong feeling exists throughout the country—at so late a period would be monstrous. The bringing in of a first-class measure of this sort in the middle of June is practically an announcement by the Government that they do not intend to proceed with the Bill, and that the whole thing is blank firing. As far as this side of the House is concerned, I do not think there is any desire to repeat the disputes and discussions of last year with reference to the Compensation Bill. We spent a long time last year in discussing the appropriation of the surplus, which was in the end not appropriated in the way proposed. The Government must not complain if, when the Committee stage of the Budget Bill is reached, objection is taken to proceeding with it until we know what the intentions of the Government are. Part of the proceeds of the Income Tax and Tea Duty we are to be asked to impose are intended to be applied in relief of the fees which a certain portion of the community have to pay for their education, and I think we are entitled to be told what the intentions of the Government are before we proceed with the Committee stage of the Budget Bill. With reference to Supply, I have a very vivid recollection of very strong protests being made last year on this side of the House against the rapid mode in which Votes were disposed of at the end of the Session without any adequate discussion, and of the uniform answer we got from the Treasury Bench that next year we should have the most ample time for the discussion of Supply. An important Debate is to take place with reference to the emoluments of Law Officers of the Crown, and their undertaking private practice, and that has now been put off for two years. We have this year been refused information with reference to certain Departments of the State, and that means prolonged discussion in Committee of Supply when the Votes for those Departments are reached. I should like to call the attention of the House to the very pertinent remarks made by an hon. Gentleman opposite last August with reference to the then condition of Supply. After calling attention to the fact that on the 9th of August £7,000,000 was voted, and on the 13th of August 48 Votes were got through in a single Sitting, he pointed out that if the system of rushing through Supply at the end of the Session continued, the traditions of the House would have received another heavy blow, levelled not by obstructionists, but by those who ought to protect them from attack. The House will, therefore, see that the dissatisfaction with the mode in which the work of Supply is carried on is not confined to this side of the House, and I think we are justified in protesting by our votes this evening against a two months' Vote on Account being asked for when a Vote for one month would be sufficient, and would be more likely to ensure some supervision by the House over the Estimates.

(5.26.) MR. GOSCHEN: I always feel pleasure in replying to any question put by the right hon. Member for Wolverhampton, for I can fairly say that the right hon. Gentleman is one of those Members of the House who are always anxious to see progress made with Public Business irrespective of any political advantage. The view of the Government with regard to the termination of the Session is clear and distinct. We are anxious that the Session should terminate at the time originally suggested—the end of July. Of course, we cannot pledge ourselves to a particular week, but, as regards our policy in conducting business, it is based on the understanding that the Session shall end at the time originally suggested when the House was invited to meet last November. I would remind the Committee that the suggestion that the House should meet in November did not originate with the Government. It was

in consequence of a Resolution that was passed at the instance of the right hon. Member for the Bridgeton Division (Sir G. Trevelyan).

SIR W. HARCOURT: It was rejected.

MR. GOSCHEN: True, it was rejected, but by so small a majority that the Government acted upon it, believing that the feeling of the House was in its favour. However, I have explained the views of the Government, and I hope hon. Members will support us in bringing the Session to a close at the time intended, though, of course, it is impossible for the Government to say that at any hazard the Session shall end at a particular date. That must depend on the exigencies of the Public Service. With respect to Supply, I entirely acknowledge the importance of adequate discussion, and it is—if it is not too strong an expression—nonsense to say that the Government wish to keep off Supply to avoid discussion. I can assure hon. Members that the Government regret—deeply regret—that they have not been able to make progress with Supply, for they by no means fear discussion on the matters to which allusion has been made. As to the Education Bill, my recollection is that my right hon. Friend did not say that it would be introduced when the Committee stage of the Land Bill was through; but if he did say so, I need not assure hon. Members that the engagement will be adhered to.

(5.29.) SIR W. HARCOURT: It would be a great satisfaction to the Committee if the right hon. Gentleman would simply say when the Education Bill will be introduced and read a first time. We are not asking the Government when they will take the important stage of the Second Reading, but simply when the Bill will be introduced, so that the House and the country may know what the character of the measure is. To that question we want a definite answer, and I see no reason why the Government should not give it. There can be no possible reason why the Bill should not be read a first time. Everybody knows that there would be no opposition to the First Reading, which would be taken practically as if the Bill were unopposed. I ask the Chancellor of the Exchequer to tell us now when the Education Bill will be introduced and the Motion made that it be read a first time?

MR. GOSCHEN: I regret I cannot comply with the request of the right hon. Gentleman. It is the only point I have reserved for the return of my right hon. Friend the First Lord of the Treasury, and until he does come back we shall not be in a position to make a definite statement on the subject.

(5.31.) MR. T. P. O'CONNOR (Liverpool, Scotland): I think the right hon. Gentleman would have dealt more fairly and more candidly with the Committee if he had announced that the Education Bill would not be brought forward this Session. How can he possibly suggest there is any chance of bringing it forward this Session? It will very much facilitate the business of the House if the First Lord of the Treasury will make that announcement immediately on his return, and the sooner he does return the better it will be for the Business of the House. As to the general state of business, I may point out that the House has been sitting practically since last November, that the Government have obtained the whole time of the House at an unprecedentedly early period of the Session, and that no Government has ever been treated by the Opposition with greater consideration than has been extended to the present Ministry; yet Government business is in almost as backward a state as last Session. This the head of the Government has been frank and honest enough to publicly acknowledge — I think that even the Chancellor of the Exchequer will acknowledge—that the Ministerial measures have been treated fairly, and not criticised at anything like undue length. And yet there is a block in the business. There are 168 Votes in Supply still to be taken. It is scandalous that these Votes should be taken in August, when debate upon them is a farce. The Report stage of the Land Bill will be treated by the Irish Members with the same consideration as all the previous stages, still it

must take two nights. The 168 Votes must take some nights, and, therefore, no man in his senses can expect a measure of the importance of the Free Education Bill to be passed during the present Session. I assume it will receive favourable consideration from the Opposition, but it must be long and complicated, and will raise some important questions of principle. If the Bill is not introduced before the beginning of July, I do not see how it can be passed before the end of August or the beginning of September. If the House sits till then the Government will have broken something like an honourable understanding come to when the House was asked to sit in November. If the Government keep their pledge to curtail the Session, it is clear that they cannot this year introduce their Education Bill with any hope of passing it into law.

(5.37.) MR. LABOUCHERE: Although the statement made by the Chancellor of the Exchequer that he cannot say when the Education Bill will be introduced until the return of the First Lord of the Treasury is extraordinary, it is, I think, capable of explanation. Probably that explanation is to be found in the fact that this is a coalition Government, and certain Members of the coalition who form the majority in the House are in the Government, while other eminent men direct its proceedings without holding office. Even if the Bill has been drawn, there has doubtless been some discussion upon it between the Chancellor of the Exchequer, who is sternly opposed to free education, and the right hon. Member for West Birmingham, who is in favour of it. No doubt they both say, "Let's wait till the First Lord of the Treasury comes back, and let him make peace between us. He will arrange a compromise." The Chancellor of the Exchequer admitted the accuracy of that account by his smile. I have, therefore, no doubt I have hit the right two nails on the head. I have long given up hope of the Estimates being fairly discussed while this Government is in Office. Every year, at the beginning of the Session, the House is promised the Estimates will be fairly discussed, and every year that promise is broken. Last year we ran through 40 Votes in one day. I have moved to report Progress in order that if we do agree to the Vote on Account for two months we shall have some *quid pro quo*—we shall have some declaration on the part of the Government that, come what may, their Education Bill will be brought in and passed through all its stages in this House. We have not had that assurance. I shall be ready to sit until October or November in order that the Education Bill may be passed, and the great Radical principle of free education be granted to the country. Hon. Members opposite at first thought free education would be a great bribe to the constituencies, but Stowmarket and Market Harborough have opened their eyes to the fact that the sacrifice of their principles has brought them no votes, and now they are anxious to shilly-shally and put the matter off. That, I think, is the position of the Government; they have not stated it themselves, so I have done it for them. I hope that they will excuse the liberty I have taken. For these reasons I shall press my Motion to a Division, in order to protest against the humbugging nonsense of the Government.

(5.41.) MR. J. LOWTHER: I think that a Motion to report Progress is an inconvenient form in which to raise the question which hon. Gentlemen opposite desire to discuss. The question, I understand, is whether the House of Commons is to have time to discuss the Estimates, and it is said that if a Vote on Account for two months were granted, that would carry the Government over July, and so the necessity for Supply would be thrown too late. I take it the Government do not intend to prevent the House going into the Estimates, and I think that probably the opposition might be removed if my right hon. Friend were to reduce the Vote on Account to a sum sufficient for one month instead of two.

MR. T. M. HEALY: The right hon. Gentleman the Chancellor of the Exchequer has evidently been in communication with the absent First

Lord on that point. Perhaps for that reason, and also because the right hon. Member for Thanet is an old Member of the Party of which the Chancellor of the Exchequer is a very new Member, the acting Leader of the House will take the advice which has just been given him by my right hon. Friend.

(5.45.) The Committee divided :— Ayes 67; Noes 122 — (Div. List, No. 245.)

Original Question again proposed.

(5.59.) MR. T. M. HEALY : I desire without intending to move the reduction of the Vote, to call attention to one or two matters relating to Irish administration. One is that of prison control, for what has recently occurred in Tullamore Gaol is, I venture to say, entirely without precedent. I do not believe any case can be cited in which a prisoner has been allowed to fall into such a bad state of health and into such a miserably low condition a few days before the expiry of his sentence, as to render it impossible to release him at the end of his term of imprisonment. And yet that has been the fate of Mr. John Cullinane. I was at first inclined to take a rather strong view of the conduct of the prison doctor, because the Chief Secretary told us when I first brought this matter forward that Mr. Cullinane was suffering from influenza, and he left it to be understood by the House that that was the diagnosis of the prison doctor, whereas it was the outcome of an examination of the prisoner by a member of the Prisons Board, who overruled the decision of the prison doctor Now, I have two complaints to make. I say that typhoid fever is a specific disease, the symptoms of which may be easily detected. The prison doctor knew that Mr. Cullinane was suffering from typhoid fever; he had had him under observation for six months; he had seen him in good health and in bad health; yet his diagnosis is overruled, and a false statement made to this House on the authority of a member of the Prisons Board. Far be it from me to make a personal attack on Dr. O'Farrell; I do not wish to say he was guilty of inhumanity, but I do say it was extremely wrong on his part to make the Report he did in face of the prison doctor's Report. And as to the prison doctor, our reproach is, that seeing Mr. Cullinane fall ill just at the end of his sentence he did not at once get him discharged and sent back to his friends, but kept him until he fell into such a state that it became impossible to release him. I do not think the Government can be congratulated on having an official who acts in that way. I am not sure that a good action for false imprisonment would not lie against the prison officials. At whose charge is Mr. Cullinane to be maintained in the prison hospital? I think the Government ought to compensate him for his sufferings, as well as pay the expenses to which he is being put. I have no authority from Mr. Cullinane to make any suggestion; but, speaking as a Member of this House, I do say that when a man is allowed by the prison doctor to fall into such a condition as to prevent his release from gaol at the end of his sentence, he ought to receive compensation. Furthermore, I say that, having got the disease in consequence of the insanitary gaol accommodation, he ought to be compensated by the Government. If a man goes into a lodging house in Ramsgate or Margate, there is, according to recent decisions, an implied covenant that it is in a sanitary condition, and you can recover damages for breach of that implied covenant. Surely the case of a prisoner who is detained compulsorily is of very much greater strength. Therefore, I say the very least the Government could do would be to give Mr. Cullinane a sufficient solatium to compensate him for the very great injury inflicted on him by immuring him in an infectious gaol. I am not at all certain that a good action for false imprisonment does not lie, as his detention was not due to any action or default of his own. It is, at all events, false imprisonment in the technical sense. I, therefore, make this demand that we should have an explanation from the Government as to why Mr. Cullinane was not discharged from prison in sufficient time. Hon. Members will remember the position taken up by the Home Secretary in the case of the dynamite prisoners—the Scotch prisoners—with the result that they were discharged from

prison. The Government then laid down the principle that when a prisoner became so ill that his further detention would be at the risk of his life, he was entitled, as a matter of common humanity, to his discharge. Poor Mr. Cullinane has been brought to death's door, and it is supposed that it would kill him absolutely if he were discharged. The next point is why the Prisons Board overruled the decision of the prison doctor? I say, the right hon. Gentleman the Chief Secretary did not convey to the House the fact that there was a conflict of diagnosis between the two doctors; and I think it would have been fairer to the prison doctor and fairer to the House if he had done so. If the right hon. Gentleman was in possession of that information, I complain that he concealed the true facts of the case. Then I want to know whether the expenses of Mr. Cullinane and the expenses incurred by his friends in consequence of his illness will be found. I recommend that a sufficient sum in the way of compensation should be made to this unfortunate gentleman. The other point I desire to raise is with regard to the action of Her Majesty's Government in estreating the sureties of Mr. Dillon and Mr. William O'Brien. It seems to me that on the point of technical law the Government were justified in the course they pursued. But I would point out that the object of bail bonds is to bring principals to take their trial or to take their sentence. When that object has been achieved, I do not think the Government ought to be allowed to insist upon taking into the Exchequer the amount of the bail. This is a matter which affects the Chancellor of the Exchequer quite as much as the Chief Secretary for Ireland. I think it would be a proper thing for the Chancellor of the Exchequer to say, "I will advise the Crown to remit the amount." He has full power on that behalf; and I think he ought to exercise it, when we see the fines imposed on Orangemen, for offences of a much graver kind, so often remitted. Take the case of illicit distillation. How often does it happen that fines that have been imposed in the interests of preventive justice have been remitted by the Exchequer? The Chancellor of the Exchequer's only ground for insisting on the collection of the tax would be that the taxpayer generally would be eased. I must say for myself that I have always taken the view that the Bill of Rights was being infringed by the Irish Resident Magistrates imposing very heavy bails of this kind. The holding of a man to bail in £1,000 and two sureties in £500 for a case triable at Petty Sessions is a very different thing from insisting upon such bail in a case, not of misdemeanour but of felony. Though the Bill of Rights is not explicit on the point, I think the words are "excessive bail shall not be taken." If these gentlemen instead of being Members of Parliament had been crossing-sweepers who had committed, say, an aggravated assault, would not any lawyer say it would be a strong thing to hold them to bail in £1,000? I think the Government might say the bail in these cases was very heavy, and should be remitted wholly or in part. The people of Ireland do not understand, and certainly do not appreciate, the class of legislation which has recently been imposed upon them by the Chief Secretary. They do not look upon it as a portion of the permanent law of the country—they never can so regard it so long as they are told that a General Election may relieve them of it. The Government find themselves at an advantage. Having vindicated the law—for they have now two Members of the House of Commons in gaol, and another member of the alleged conspiracy has caught typhoid fever in Tullamore Prison—they might well take a generous view of their powers and position.

(6.18.) DR. TANNER (Cork Co., Mid): Before the right hon. Gentleman replies I should like to raise one or two points in connection with the case of Mr. Cullinane which have occurred to me. It will be in the recollection of hon. Members that when attention was first drawn to the case the Chief Secretary told the House that Mr. Cullinane was suffering from influenza. I should like the right hon. Gentleman to tell us upon what basis he gave that intelligence to the House; from whom was the information received; was it obtained from the medical officer of the prison or from

the medical officer of the General Prisons Board? I should think that Dr. O'Farrell, who is a medical man of standing, would be very slow to express himself so decidedly, so early in the case, as the Chief Secretary did. Again, will the right hon. Gentleman say whether there were any cases of influenza in the gaol and in the town of Tullamore at the time Mr. Cullinane was seized. There may be some assumption that in the preliminary stage of the disease there was some little doubt as to its nature. I cannot agree with my hon. and learned Friend the Member for Longford that it is very easy for any medical man to distinctly say in the first period of typhoid fever that the patient is suffering from that disease. On the other hand it is extraordinary that the Chief Secretary should have been advised to state that this gentleman was suffering from a disease he was not suffering from. Assuming this was an ordinary attack of influenza, would it not have been more humane and honest and straightforward to have immediately released Mr. Cullinane, seeing that he was within a couple of days from his release? Now that it has been proved that the gentleman was suffering from typhoid fever, I should like the Chief Secretary to tell us at what time the symptoms manifested themselves. Moreover, I desire some information in respect to the question of expenses. We who come from Ireland know that if a policeman meets with any injury his expenses, during sickness, are paid, and he receives recompense. We know, too, that if any member of the so-called loyal minority in Ireland suffers a deprivation of rights or injury, he is always recompensed. Considering Mr. Cullinane was detained in gaol longer than his term, and that expenses were necessarily incurred in the shape of medical and other attendance, I think it only fair that those expenses should be defrayed by the Government. Tullamore Gaol has been regarded by the Chief Secretary as a great sanitorium, indeed, the right hon. Gentleman has always spoken of this gaol as the captain of a clipper ship speaks of his craft. We now find that the prison is in a most unsanitary condition. A great number of the prisoners detained there have been transferred to another gaol. Several political prisoners have recently been given their freedom, and I heard of that with great pleasure; but other prisoners have been transferred to Clonmel. Why has Clonmel Gaol been chosen for the transference? I had an opportunity of spending a brief apprenticeship in that establishment of the right hon. Gentleman, and I endeavoured to get several insanitary defects rectified. I put it to the right hon. Gentleman whether this is not a time when he should take in hand a systematic investigation, not merely of the sanitary condition of Tullamore Gaol, but of all the prisons in Ireland. In Ireland there is a great rainfall. In the western portion of the Island there are scarcely two fine days in the week. That, of necessity, interferes with the exercise of prisoners in gaol. All prisoners are supposed to have two hours open air exercise daily, but all of them cannot possibly have it because of the want of accommodation suitable for use in wet weather. No such accommodation exists in the Clonmel, Galway, Derry, and many other gaols in Ireland. Perhaps the right hon. Gentleman will be able to afford me some information on the points I have raised.

(6.30.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I think that in a very brief statement with respect to Tullamore I can dispel the illusions of hon. Members opposite, or at all events reply satisfactorily to their criticisms. Hon. Members have attacked me on the ground that I have made certain mis-statements of fact respecting the illness of Mr. Cullinane. Of course, as the Committee know, when inquiries have to be made I only communicate with the officers of prisons through the Prisons Board, whose servants they are. No blame, I think, should be thrown on the medical officer of the prison because he has been mistaken in his diagnosis, for mistakes must now and then occur; unfortunately, no medical skill and care will prevent them. It appears that there was a good deal of influenza in the town of Tullamore, and, amongst other persons,

the wife of the medical officer of the prison was affected. The early symptoms in Mr. Cullinane's case were developed so rapidly that they had much more the appearance of influenza than of typhoid. That was the reason why the doctor took the view at first that the disease was not typhoid, but influenza. It soon became apparent, however, that it was typhoid, but the treatment which the patient had received was not, I believe, improper or unsuited to the true conditions of the case. I have been attacked on account of the alleged insanitary condition of the prison, but I gather, from the information at my disposal, that the fever was due to some contamination of the milk with which the prisoners were provided, and not to any insanitary condition of the prison. As soon as the disease declared itself prompt measures were taken. All the short-sentence prisoners were released, and the long-sentence prisoners were removed to Clonmel, where the Prisons Board believed that they would find ample accommodation and proper sanitary arrangements.

DR. TANNER: How many cases of typhoid have there been?

MR. A. J. BALFOUR: I think there have been nine cases. One case declared itself after the removal to Clonmel. I have also been asked whether it would not be proper to compensate Mr. Cullinane for the sufferings he has undergone. If to grant compensation in such cases is the practice either in Ireland or in England, no doubt it will be followed in this instance, but there is no reason that I can see for treating the case exceptionally. As to the alleged error in not releasing Mr. Cullinane as soon as it became clear that he was suffering from a serious disease, the explanation is that he could not be released in consequence of the state of health in which he was. It was quite impossible to turn Mr. Cullinane out in the cold with the typhoid fever upon him. The hon. and learned Member for Longford has referred to another subject. He has asked whether the Irish Executive will remit the recognizances which have been forfeited in the case of Messrs. Dillon and O'Brien. As I have said on a former occasion, it is a serious matter for any man to violate deliberately his legal engagement; and there are no circumstances that I know of in this case that would justify any departure from ordinary procedure. It is evident that the flight of these two accused persons might have had very serious consequences in connection with the trial of the remaining prisoners. In fact, an attempt was actually made to found upon the fact that all the accused were not present at the trial, a reason for quashing the conviction of those prisoners who went through the trial. In circumstances not widely differing from those that actually occurred, the whole proceedings might have been invalidated, and it might have been necessary to undergo the trouble and to incur the costs of a fresh trial. These would have been serious consequences, and they were consequences deliberately contemplated by the two gentlemen who escaped. They thought fit, in order to further a cause they had at heart, to forfeit their recognizances; and, as far as I can see, there is no ground for departing from the ordinary practice in these cases.

(6.39.) DR. TANNER: I do not wish to make any personal attack on the officials at Tullamore, although I might have been tempted to do so, seeing that there are some officials in Irish goals whose services could very well be dispensed with. That is notably the case with the lunatic doctor at Clonmel Gaol, where the Chief Secretary has transferred a great number of prisoners from Tullamore. Out of the right hon. Gentleman's mouth the doctor at Tullamore stands convicted. Every one knows that typhoid fever takes at least a fortnight to incubate, and consequently Mr. Cullinane was ill in Tullamore for upwards of a fortnight, and no attention was paid to his case. The Chief Secretary seems to feel it his duty to defend any Irish official be he right or wrong; indeed the right hon. Gentleman is practically bringing about a state of affairs in Ireland from which the country will not readily recover. Here is the case of a man who should have been discharged on a given day, and the

doctor declares he is not in a fit condition to be discharged. I think more attention ought to be paid to these cases. Many unfortunate men are suffering in Irish prisons in consequence of the action of the Chief Secretary. The right hon. Gentleman is responsible for the bad and criminal system of administration now in force, for he backs up every thing done by his supporters—I will not use the word "minions"—whether it be right or wrong. The time will come when the abominable system of officialism will be swept away. Nine-tenths of the prisoners in the West of Ireland do not get their rights in the shape of out-door exercise, and the right hon. Gentleman should see to that. With regard to Mr. Cullinane, let me point out that the symptoms took a fortnight to develop, so that he must have been neglected during that period.

(6.45.) MR. LABOUCHERE: I rise to move the reduction of the Vote by the amount of £20,000, and I do so in order to raise the question as to the length of time for which Votes on Account should be granted. I do not think that the right hon. Gentleman the Secretary to the Treasury made out a good case in the discussion we had in regard to the habit of taking these Votes at so late a period of the Session. It must be borne in mind that as the Session commenced in November we stand practically in the position of having reached a date comparable with the end of June in an ordinary Session. Can the right hon. Gentleman cite any instance in which at the end of June a Vote on Account for two months has been taken?—I do not think that he can. He may be able to advance good reasons for doing it this year, but he can give us no precedent. What will be the position of affairs presently? We are to prorogue about the end of July, and about the 20th of that month we shall be told that the Votes must be hurried through or the Session will have to be prolonged. Some of us, no doubt, will be willing to sit on here, but I doubt if we shall be sufficiently numerous to carry on a business-like discussion. I am afraid that this Vote means that there will really be no discussion on the Estimates this year. The Chancellor of the Exchequer told us in the previous discussion that the First Lord of the Treasury would no doubt put down the Estimates on divers dates before the end of the two months. We hope he will, but looking at the state of business we scarcely anticipate there will be any real discussion. I beg, therefore, to move the reduction of the first item by £20,000.

Motion made, and Question proposed, "That Item, Class I., 'Surveys of the United Kingdom,' be reduced by £20,000."—(*Mr. Labouchere.*)

*(6.48.) THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I am afraid I do not quite gather what the hon. Gentleman means. He asks if I can point to any precedent for a Vote on Account for two months being taken at the end of June. But may I point out that the period of the Session has really nothing to do with the matter. The first Vote on Account can only be taken at the end of the financial year, on the 31st of March, no matter when the Session may have commenced. The first Vote on Account covers the months of April and May, and there have been cases when it has covered a period of three months. The second Vote on Account is usually made at the end of May. For the last 15 years the second Vote on Account had been for two months at the end of May. In 1881, the first Vote was for three months, and the second Vote, on the 25th June, was practically for two months.

MR. LABOUCHERE: I cannot agree with the right hon. Gentleman, for though it is true that the first Vote on Account cannot be taken till the end of the financial year, no matter when the Session commences, yet the effect of commencing the Session in November ought to be to give the Government a clear field for Supply earlier in the year than in an ordinary Session. Had we met in January or February this year we should have had the Debates on the Queen's Speech and on the Second Reading of the Tithe and Irish Land Bills, which would all have occupied a considerable amount of time. But that business was got

through last November, and the Government consequently had a clear field before them when the House re-assembled in January. But they failed to take advantage of it, and the business of the House is more than usually backward. As I think this Vote on Account will practically cover the remainder of the Session I shall press my Amendment to a Division as a protest against the conduct of the Government.

(6.55.) The Committee divided :—Ayes 61 ; Noes 119.—(Div. List, No. 246.)

Original Question again proposed.

*(7.5.) MR. W. PRITCHARD MORGAN (Merthyr Tydvil) : I have to move a reduction of the Vote for the Department of the Woods and Forests by £1,000. That Department is carried on under the supervision of the Chancellor of the Exchequer. Some five years ago I had the honour of waiting on the right hon. Gentleman who promised to give special attention to the question of granting licences for searching for precious minerals in Wales, but I do not find that he has given the relief which is so necessary. In Wales, at the present moment, there is an opportunity of giving employment to a very large number of men. On one small property alone no fewer than 200 are profitably employed. The right hon. Gentleman has issued 447 licences, but this is the only one which has been taken advantage of. When I point to these facts I think the Committee will come to the conclusion that, when Lord Salisbury states in a speech at Glasgow that the money of the British taxpayer may have to be spent in making a railway in Africa for the purpose of developing the mines of that country, the time has arrived when those who own land in Wales should be allowed, without unjust and unnecessary interference on the part of the State, to carry on their business and give employment to labour. We often hear in this House professions of goodwill towards all men ; the Chief Secretary for Ireland tells us, from time to time, how desirous he is of promoting Irish industries. But when those who know something of the matter go to the Treasury and ask to be allowed to work the mines, such high terms are fixed as prevent it being done. The State will not work the mines itself, nor will it allow other persons to do so. A short time ago 80 or 90 Members of this House requisitioned the Chancellor of the Exchequer to give this matter his attention with a view to making such terms as would enable the mines to be worked. But so far he has vouchsafed us no answer, and nothing has been done.

MR. GOSCHEN : That is not so. Attention has been given to the matter.

*MR. W. PRITCHARD MORGAN : I venture to say the Department has never visited the locality in which the mines are situated, except for the purpose of collecting its pound of flesh. Now we again ask the Government to consider this matter. We know, by the answers we have elicited from the Attorney General, that the Treasury has a perfect right to collect royalties from all gold mines in the British Empire, and that it neglects its duties if it does not collect them. We know it has a right to a royalty upon gold obtained in Australia. Then why does it not collect it? It knows it cannot. It knows it was found in the colonies that the smallest possible charge on precious metals was detrimental to the interests of the colony. Will the right hon. Gentleman promise to look into this matter and examine its effect upon Wales? There are gold mines in the Principality ready to be worked. We know that annually hundreds of thousand pounds worth of gold ore are imported into Swansea, where a gold producing industry is carried on. We know that there is no import duty upon it, and no tax whatever imposed, and yet you impose such royalties as effectually prevent the Welsh gold mines being worked. You are altogether disregarding the principles of Free Trade. I say you ought to encourage the development of the gold and silver mining industries in Wales instead of so handicapping them as to make it impossible to treat the ore at a profit. No attention has been paid to this matter.

MR. GOSCHEN : Attention has been given to it.

*Mr. W. PRITCHARD MORGAN: Attention has been given to it to the extent of shelving it year after year.

Mr. GOSCHEN: I must interrupt the hon. Member. The matter is under consideration. It has not been shelved, and it will receive further attention.

*Mr. W. PRITCHARD MORGAN: I am delighted to hear that after five years of incessant application to the Woods and Forests Commissioners, and of waiting on, or attempting to wait on, the right hon. Gentleman, he is at last going to give the matter his attention. The right hon. Gentleman laughs. It is certainly a very jocular thing that a large number of men are being kept out of employment. He knows that 447 licences have been granted by the office under his supervision, and that only one of them is now being acted upon, and he knows the reason is that he has imposed such excessive royalties on the one mine in existence that it cannot carry on its work at a profit. The Committee is not aware of the circumstances of the case. Suppose a certain number of mines produce every day, except Sunday, £1,000 worth of gold, and a profit of £100. At the end of the year there will be a profit of £30,000, and £300,000 worth of gold will have been produced. The right hon. Gentleman takes his royalties not out of the £30,000, but out of the £300,000. He and the ground-landlord take 1-15th of the produce, or £20,000—or, in other words, two-thirds of the gross profits. No business could stand against such a tax. If a man produces 30 carriages a year he cannot afford to give away one of them, although he might be able to give away 1-30th of his profits. You, Mr. Courtney, cannot have forgotten my attempt, some time ago, to tell the right hon. Gentleman the origin of royalties. We know perfectly well that royalties originated when Joseph, in the land of Egypt, charged the people one-fifth of the produce of their land. But the right hon. Gentleman will remember that Joseph owned the corn, and he had some fair ground for asking that he might have a portion of the product. In this case the land belongs to us. The right hon. Gentleman will not take a fair proportion of the profit. I have offered to give 10 per cent.—20 per cent. of the profits, and to let the Government supervise my books and ascertain that we did not charge unfairly for management expenses. We are told, however, in effect that it is beneficial to the State that one mine should be working with difficulty, and that 447 licencees who are desirous of mining should be shut out from doing so. I would implore the right hon. Gentleman if he has the welfare of the community at heart to give this matter his consideration, and allow us to get on with our business. I think that five years' interference by the State, the payment by us of heavy costs for the purpose of settling the law, which had never been reviewed since the time of Elizabeth, is a sufficient reason for asking the right hon. Gentleman to allow us to get on with our business.

The CHAIRMAN: Does the hon. Member move a reduction?

*Mr. W. PRITCHARD MORGAN: After the statement of the right hon. Gentleman that the matter is receiving attention I will not move a reduction.

(7.22.) Mr. GOSCHEN: The matter has been considered, and I expect that the result will go a long way to meet the views of the persons whom the hon. Gentleman represents. The difficulty generally is to make sure that any reduction in the licences shall not have the effect of inducing certain adventurers to sell their licences for a much higher price than they could get otherwise. It by no means follows that any concessions which may be made would go to the benefit of the working men. The hon. Gentleman assumes that the majority of the 447 licences, of which he has spoken, have not been worked because of the royalties. But the hon. Gentleman must be aware that a large number of the licences are merely speculative. The hon. Member says, "It is our land." That is precisely what it is not. The minerals are merely let to the licencees for certain purposes. The hon. Member must be aware that a Committee has been appointed. I believe he gave evidence before it. That Committee

will report, and it will be the duty of everybody interested to see what that Report is. I am sorry the hon. Gentleman, or any hon. Members, should have thought that I, in any way, have neglected this important matter. I do not think I have done so, although, certainly, during the past few months, owing to pressure of other business, I have not been able to give that full attention to the matter which I should have liked to give.

*(7.26.) MR. W. PRITCHARD MORGAN: The right hon. Gentleman says that the action of the Government has been to prevent mining adventurers from getting large sums of money at the expense of the public. If that has been the policy of the right hon. Gentleman, how is it that 447 licences have been given to adventurers—to every Dick, Tom, and Harry who has asked for them, regardless of whether or not these persons have been financially in a position to develop the properties? No care is taken by the Woods and Forests Department to stop such a proceeding as that which the right hon. Gentleman seems anxious to prevent. The only desire with which the Department seems to be actuated is that of collecting these fees. The Solicitor to the Department gets £30 for every lease granted and something for every licence and the total amount received in this way has between £4,000 and £5,000. I am not alone in my ideas in this matter. One of the greatest mineralogists of the country has obtained a large concession from the Government in Wales and he has done good work, but he declines to put up extensive machinery for the purpose of carrying on an industry solely for the benefit of the Government. As to what the right hon. Gentleman says in regard to "the fostering care of the Woods and Forests Department" in the interests of the public, I think the public are very well able to take care of themselves. I think that instead of the Woods and Forests Department granting leases for 300, 400, or 500 acres of land as they do now, no one should be entitled to a lease of Crown lands exceeding 25 acres, which is the maximum granted in the Australian Colonies. If the Government will only take a leaf out of the book of the Australian Colonies who have been so successful in these matters, and whose methods have been to such a large extent copied by America, they will be doing well.

(7.30.) DR. CLARK (Caithness): I am sorry to find that in this matter of mining royalties we are only in the position we were in two years ago. I have had experience of mining in many countries, and I am in a position to state that there is a very good goldfield in Wales, and that the Welsh people are very much indebted to my hon. Friend for the money he has spent on the development of the mining industry in that country, and for the enthusiasm he has shown in the matter. There has been 10 times as much money spent in developing these goldfields as has been realised from them. Of the companies who have worked the precious metal only one has been able to make a dividend owing to the large royalty charged upon the gross product of the mines. If the Government would content themselves with taking a quarter or a fifth of the net profits, plenty of people would be found to work the minerals. The great bulk of the ore is of a low grade, and the only way in which it could be worked at a profit would be by paying a royalty on the net results. I am in favour of mining royalties being paid, not only on gold and silver, but also on the other metals; but if you are going to continue charging the present royalties, I can only say that it will be rack-renting of the worst type.

MR. GOSCHEN: The system has not been altered for years. We have been simply working the old system which has been in existence for a long time. However, as I have already informed the Committee, we are now contemplating a change in the system.

(7.36.) DR. TANNER: I regret to see that the Committee is in such an apathetic condition. The Government are asking for a large amount of money; there are many Members who consider that some of the items of expenditure mean wanton waste, and who object to

voting them without an adequate explanation from the Treasury Bench, and yet those explanations are not given. I wish to call attention to the question of Public Works and Buildings in Ireland, and to complain of the wanton mismanagement of the Public Works Department. The new Science and Art Buildings in Dublin, although architecturally good, have a miserable piece of ironwork attached to them in the shape of a gate. It is an eyesore to the public, and I trust that the right hon. Gentleman the First Commissioner of Works, whom I know is a gentleman of great taste in these matters, will exert his influence in order to bring about an improved condition of things. Then I must protest against the two red blotches of building to be observed from the St. Stephen's Green side. Why are they left there ?

THE CHAIRMAN: Order, order ! The Science and Art Buildings are provided for in a former Vote.

DR. TANNER: Then I will say no more than that I hope attention will be paid to those matters. I would now ask what is going to be done as to Ballycotton Pier ? The end of the pier is insecure. Something should be done to improve it. There is also a reef of rocks running out to the western side of the harbour which is capable of doing a great deal of damage, and which ought to be removed. I would also ask whether anything is to be done to bring about the construction of a small pier at the entrance to Cork Harbour, near the lighthouse? There are a number of poor boatmen who live at Roche's Point whose boats are often in a condition of great danger through insufficiency of pier accommodation. The only accommodation that exists is that constructed for the lighthouse boats, and I would urge the right hon. Gentleman to consult with the Local Cork Authorities with a view to bringing about an improvement in this respect. Lives have been lost at Roche's Point owing to the want of pier accommodation, and owing to the fact that the lifeboat for Cork Harbour is kept at Queenstown. I would also ask the Government to make arrangements for lighting the harbour of refuge at Glandore and the pier at Castletownsend. I called attention to the matter last year, and the Government said that a light at Castletownsend would be of no use. Seeing, however, that it is a capital harbour of refuge, I think that great good would result to the poor people who use it if it were properly lighted. I also desire to say a few words in reference to the light railways, in regard to which I do not think the people have been properly treated. Hon. Members must have seen two questions that were put on the Paper to-day by the Member for East Kerry (Mr. Sheehan) in reference to what has been done in connection with the Tralee and Dingle Light Railway. In the case of some of these railways the Government laudably proposed to provide employment for the people of the districts concerned; but in County Cork you have the Great Southern and Western Railway Company scheming to get possession of property at the expense of the dwellers in the locality. The area of taxation ordinarily adopted in connection with these light railway schemes is, in nine cases out of ten, manifestly unfair, the landlords not having to bear their proper share of the burden, although deriving the greater share of the benefits. I should like to have some information from the Secretary to the Treasury in regard to what has been done respecting both the Tralee and Dingle Light Railway, and the Cork Newmarket Light Railway. It is stated that while the Tralee and Dingle Light Railway Company, with a capital of £150,000, consists of nine members, there are ten Directors, only two of whom hold shares in the company. I should like to know whether it is true that the Directors, over seven months before the opening of the line, appointed a secretary at £200 a year, and a manager at £150, which they have lately increased to £200 a year ? When we consider the character and the requirements of such a district, the amount likely to be received by the company for fares and goods traffic, the character of the passengers, and the way in which the Directors manage the line, I think a lurid light is thrown upon the way in which these lines have been promoted. I remember travelling over the light railway from Skibbereen to

Schull upon which the passengers had to alight at a point where the gradient is very steep and assist in pushing the train along. On many of these lines the gradients are excessively steep, and proper attention has not been given to the curves, although these curves have been passed by General Hutchinson, who is the Inspector of the Board of Works, and who has thus put the district to great inconvenience and expense. Last winter I asked the Chief Secretary that some attention should be paid to the Cork and Muskerry Railway, and I was promised the favourable consideration of the Government in consequence of the great distress which existed in that part of the country last winter. The Chief Secretary stated that the line would have every consideration and assistance the Government could afford in order that the distress might be relieved by the employment of labour within the distressed area. But although I received this assurance last February nothing whatever has been done in connection with that line. Soft words butter no parsnips; and though we get these assurances, the people suffer and are offered no work. I also referred to the potato failure, and the fact that the seed potatoes which were being supplied were not what they ought to be, but nothing satisfactory has yet been done in this direction. I must urge on the Chief Secretary the necessity of doing something in connection with the Cork and Muskerry Railway, and that pressure should be brought to bear on the Directors to employ the labour of the district instead of importing labour from other quarters. I also hope that something will be done with regard to the Cork and Glandore line.

THE CHAIRMAN: The hon. Member is somewhat out of order in touching that question.

DR. TANNER: There are many other points I could raise if I had the time, but I will reserve my remarks on them for a future opportunity, contenting myself by asking for answers to the questions I have put with regard to the Ballycotton Pier, the entrance to Cork Harbour at Roche's Point, and whether we may hope for something to be done for the better lighting to the entrance of Castletown Harbour.

*(7.56.) MR. JACKSON: I may inform the hon. Member that I have only to-day received a Report as to a careful examination which has been made as to the state of Ballycotton Pier, and I have no doubt the hon. Member and his constituents will be glad to learn that, as a matter of absolute certainty, during the last two years neither the sea wall nor the pier has moved in the slightest degree. I think it is three years ago since the hon. Member pointed out the certainty of this pier being driven in by the sea; but up to the present moment there is no cause for the apprehension he then expressed.

DR. TANNER: What is the depth of water outside the pier?

*MR. JACKSON: I am unable to answer that question. I can only give the hon. Member the assurance I have offered, and express my hope that the fishing vessels having access to that place may so multiply as to materially benefit the inhabitants of that part of the coast. With regard to Roche's point, I should like to make further inquiry before I can give a definite answer to the question put by the hon. Gentleman. With regard to the lighting of Castletown Harbour, which the hon. Member desires to see improved, that is a matter which does not come within the control of the Government Department, and is one requiring to be dealt with by the Local Authorities. I am afraid that on the same ground I cannot hold out any hope of the Department doing anything with regard to Castletown Pier. With regard to the Tralee and Dingle Railway, which comes under the Act of 1883, all the Government has to do is to contribute its share towards the guarantee for which it is responsible under that Act. The responsibility for the construction and management of the line rests with the Local Authority. The same answer applies to the Cork and Newmarket and the Cork and Donoughmore Light Railways.

DR. TANNER: I have had no wish to impute blame in what I have said. My only object was to try and get the work done by means of local labour, so as to relieve the distress of the district.

MR. LABOUCHERE: I wish to take this opportunity of asking the right hon. Gentleman what it is contemplated to do about the reporting of the Debates of the House. Two or three years ago certain arrangements were decided upon, and the contract for the work was obtained by a certain company—the Hansard Company. I wish to know whether, on the termination of that contract, the work is to be put up to public competition, and whether, if there are no bidders, it is intended to give some sort of subsidy in connection with the work? I should also like to know whether any Department exercises any supervision over the reporting in order to see whether it is up to the mark?

*(8.6.) MR. JACKSON: There was a question on the Paper to-day in reference to this subject which I was prepared to answer, but it was not put. The hon. Member has stated the facts correctly. It will be in the recollection of the Committee that three years ago a Joint Committee of both Houses considered the question of reporting and printing the Debates and Proceedings of Parliament. Following the Report of that Committee tenders were invited, with the result that the tender of Messrs. MacRae, Curtice, and Co., Limited, whose business was afterwards absorbed by the Hansard Company, being the lowest—in fact, the company offered to do the work without a subsidy — was accepted, and the contract was made for three years. The contract expires this year, and I think that, under the circumstances, it will be necessary to call for fresh tenders. I am not in a position to say more at present, but the question has been carefully considered as to what is necessary to be done; steps will in the meantime be taken to prevent any breakdown. With regard to supervision, in a general way there is some supervision, and it comes under the Stationery Office, but I cannot say how far the responsibility can go beyond seeing that the terms of the contract are complied with. I believe the terms have been complied with. From the form of the question which appeared on the Notice Paper to-day in respect to the matter, but which was not put, the hon. Member seems to think it desirable, if possible, to separate the work of reporting from the printing. I certainly disapprove any such separation, because I do not think we should be placed in the position, in case of any complaint, of the reporter being able to say that it was the fault of the printer, or, on the other hand, of the printer being able to say it was the fault of the reporter. The work, in my opinion, should be entirely in the hands of one firm, who should be responsible for the whole of it. I repeat, I think it will be necessary to advertise for fresh tenders.

(8.11.) MR. LABOUCHERE: When I spoke of supervision, I did not mean going closely into detail, and seeing whether this person or that person was properly reported, but such general supervision as a newspaper would exercise over its reporters. I am not saying whether the reporting is good or bad, but I think there certainly ought to be some such supervision, and I hope that when the time comes for a fresh contract to be made, it will be considered whether such a duty should not be discharged by some official connected, say, with the Stationery Office. There is a Vote on the Paper to which I wish to draw particular notice —that for Secret Service money, which amounts to £35,000 a year. The Government now ask for an additional £10,000. They have already had £6,000, and if this Vote is granted they will have received £16,000 for four months. Many hon. Members object to Secret Service money altogether. I do not go so far as that; but the sum for the purpose has increased, and is increasing, and it ought to be diminished. £35,000 per annum is undoubtedly too much, and I believe that £10,000 would be ample for Secret Service. I shall, therefore, move a reduction of the Vote by the sum of £10,000 in regard to the Secret Service.

Motion made, and Question proposed, "That Item, Class II., 'Secret Service,

£10,000,' be omitted from the proposed Vote."—(*Mr. Labouchere.*)

*(8.13.) MR. MORTON: I desire to support the reduction. I do not think there ought to be a Secret Service Fund at all. But as the matter stands, the Government have already got £6,000 on account; and that, I think, is plenty. We do not know at all how the money is spent. It is generally believed to be spent in corruption and bribery either in this or in some other country. It ought not to be so spent; and there certainly ought to be no need for a Secret Service Fund. Some years ago it was found out that some of the money was spent in electioneering purposes; and certainly there are widespread suspicions that it is got rid of in a way which the taxpayers would not approve. Unless we can have explanations of the expenditure, we ought to do away with the fund altogether. I hope the Government will give us satisfactory assurances on this point.

(8.15.) The Committee divided:—Ayes 26; Noes 74.—(Div. List, No. 247.)

Original Question again proposed.

(8.25.) MR. LABOUCHERE: I absolutely object to the next item in this Vote, and shall feel it my duty to divide against it. I see that, with regard to the Police Courts of London at Greenwich and Sheerness, for which £19,000 is required, and towards which £3,000 has already been voted, a further sum of £3,000 is asked for. Upon this matter I have in the past had the support of a considerable number of Conservatives, and I hope to do so again. I do not see why the expenses of the Police Courts of London should come out of the Imperial taxes, when all the other big towns, except, I believe, Dublin, pay for their own police courts out of the local rates. This question has been frequently discussed; and unless the Chancellor of the Exchequer has a better answer to give than any of his predecessors, I shall divide the Committee upon the question. I am rather curious to know the views of the right hon. Gentleman on the point. He is an eminent financier; and I think he will agree with me that this money ought to be paid out of the local rates. At Bow Street Police Court, it is true, international cases are sometimes heard, but that is certainly not true of such Courts as that at Greenwich. On one occasion when I moved the Reduction, I was told to wait till the County Councils had come into existence, and then they could satisfactorily arrange the whole thing. Well, those Bodies do now exist, and nothing has yet been done. I beg to move the reduction of the Vote by the sum of £3,000.

Motion made, and Question proposed, "That Item, Class III., 'Police Courts, London and Sheerness, £3,000,' be omitted from the proposed Vote."—(*Mr. Labouchere.*)

MR. MORTON: I support the reduction on the ground that my constituents have to pay for their own police courts, and I do not see why they should also have to pay for those of London, which is supposed to be the richest city in the world. I know that some of the Metropolitan Representatives are quite willing that this burden should be thrown on London, providing the citizens are given the control of the police. I am in favour of their having that control, but that the Tory Government refuse to do justice in that matter affords no excuse for continuing this injustice as to the police courts. I trust this Vote will before long disappear from the Estimates.

MR. LABOUCHERE: I hope the Chancellor of the Exchequer, who has yet made no sign, intends to give us his views.

(8.29.) MR. GOSCHEN: This matter has so often been discussed that I am surprised the hon. Gentleman should ask me to speak upon it. I agree theoretically with a great deal of what has been urged by the hon. Member, but the whole question of the financial relations between London and the rest of the country is a very complicated one. The question of Police Courts cannot be dealt with separately, and this charge cannot be taken off Imperial taxation and put on the London rates without an examination being made at the same time as to other "set-

offs" which London urges ought to be borne by the Imperial Exchequer. Therefore I am not prepared to agree to this reduction.

MR. LABOUCHERE: I congratulate the right hon. Gentleman on having really discovered a new reason for objecting to this reduction. The question has been often discussed before, but this is the first time I have heard of "set-offs." The usual defence has been that the Metropolis has not the control of its own police.

MR. MORTON: I am not at all satisfied with the answer given by the right hon. Gentleman. He speaks of this as only part of a large question, but let me remind him that the Government have already dealt with the question of the maintenance of the parks. It is absurd, therefore, to say that they cannot touch this matter. I shall vote for the reduction.

(8.35.) The Committee divided:—Ayes 24; Noes 71.—(Div. List, No. 248.)

Original Question again proposed. (8.45.)

(9.10.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*(9.13.) MR. MORTON: I do not desire to move a reduction of the Vote, but I do wish to elicit some information on a matter with which an item in this Vote on Account is concerned, and which is of general interest. I mean the reclamation of slob lands on tidal rivers, and more especially I wish to direct attention to Ireland.

THE CHAIRMAN: That item has been passed over.

*MR. MORTON: Then, Sir, if I cannot go into that matter there is another question upon which I should like to ask for information, and that is the publication of *Hansard's* Reports. I do not see the Secretary to the Treasury in his place——

THE CHAIRMAN: That item has been passed over.

MR. PICKERSGILL (Bethnal Green, S.W.): There is a question I take the opportunity to ask in reference to the British Museum. I noticed in to-day's newspapers an intimation that it is proposed to close the Museum in the evening from the 1st June to 4th July next for the purpose, as it is stated, of making alterations in the electric lighting plant. That seems a very long time for the purpose, and I should be glad to have some information as to who originally installed the electric light at the Museum, and in what respect has it been deficient, and what is the nature and probable expense of the proposed alteration? Perhaps the right hon. Gentleman the Secretary to the Treasury can tell us something about this?

*(9.16.) MR. JACKSON: I am afraid I am not aware of the circumstances to which the hon. Gentleman refers. The electric lighting at the British Museum I have always understood has been very satisfactory, but I can quite understand that if an alteration is necessary why advantage should be taken of the summer months and the long days for the purpose. Why the alterations are to be made, however, I have no information. The light was installed, I understand, experimentally by Messrs. Siemens, and has from time to time been added to in a manner eminently satisfactory, and up to the present an arrangement has been in force by which an annual rent has been paid for the plant. I think it was about the beginning of last year that the experiment was begun, following upon an expression of opinion of this House in Committee of Supply.

MR. MORTON: Might I raise the questions to which I just now referred by moving a reduction of the Vote?

THE CHAIRMAN intimated a negative.

*MR. MORTON: Then upon page 5 I would call attention to the Cyprus Guarantee——

(9.19.) DR. TANNER: If my hon Friend will allow me, there is an earlier item I wish to mention—that for law charges and prosecutions in Ireland. That is an item of public expenditure that if we had full benches, Irish Members would insist upon having fully debated, and the Debate would be initiated by Members fully acquainted with the technicalities of the subject. I, unfortunately, am physically incapable of

debating the question, and must content myself with raising the question and making my protest by taking a Division. As an Irish Representative, taking into consideration all that has occurred during the past year in Tipperary, the disgraceful way in which Irish stipendiary Magistrates have been brought from different counties because their truculence and virulence made them more fitted for the work given them to do—when we consider how juries have been packed at Assize after Assize throughout the whole proceedings of the present Administration—I say no Irish Member would be doing his duty in this House if, though he were the sole Irish Representative present, he were to sit and allow such a scandalous item as this for law charges and criminal prosecutions to pass unchallenged. We have only to refer to the proceedings against Mr. William O'Brien and Mr. John Dillon, and to the way in which men have been sent to gaol in the attempt to collect scandalous rack-rents on the Ponsonby and Tipperary Estates, and the wanton mis-expenditure of public money through the means of Mr. Ronan, Q.C., and Mr. Carson, Q.C., whose virulence and truculent behaviour have been conspicuous, to recall the sad history of these transactions. Many of these men I have known in earlier days honoured and respected among their fellows, before the upas tree reared by the present Government had spread its baneful influence. It is an old story, and I cannot now go into the history of these trials in connection with the Ponsonby Estates and the proceedings in Tipperary, though I believe I should be entitled so to do. I am not, I confess, fully conversant with all the details. I can only refer to the matter *en gros*, and my colleagues are absent after having had plenty of work in the last week or two in attempting to lick the Land Purchase Bill into shape. Many of the Irish Members have had to go away to Ireland; but I should not be doing my duty if I allowed a Vote including such an item as this for law charges in Ireland to pass without a protest, and, therefore, I move the reduction of the Vote by £15,000.

Motion made, and Question proposed, "That Item, Class III., 'Law Charges and Criminal Prosecutions, £15,000,' be omitted from the proposed Vote."—(*Dr. Tanner.*)

*(9.24.) MR. MORTON: I fully expected some answer would be forthcoming from the Treasury Bench. I do not wish to detain the Committee, and only wish to say that I have such a bad opinion of the proceedings in connection with these prosecutions in Ireland during the last four or five years that I shall, whenever I have the opportunity, protest against expenditure on this account. These are not prosecutions against crime but against created political offences.

(9.28.) The Committee divided:—Ayes 31; Noes 72.—(Div. List, No. 249.)

Original Question again proposed.

*(9.33.) MR. MORTON: I desire to move the reduction of the Vote by the item of £12,000 for Dublin Police, &c. What the etcetera means I do not know, but it appears to me that this item comes under the same category as that for the London and Sheerness Police Courts, to which we have already taken objection. I think the people of Dublin should pay for their own police, as other towns in the Kingdom do. I say nothing of that *quasi*-military force, the Royal Irish Constabulary, but the Dublin Police Force is a matter for local funds, not for Imperial expenditure, and it is unfair to the taxpayers that they should be saddled with this amount.

Motion made, and Question proposed, "That Item, Class III., 'Dublin Metropolitan Police, &c., £12,000,' be omitted from the proposed Vote."—(*Mr. Morton.*)

(9.35.) MR. CONYBEARE (Cornwall, Camborne): I must support this omission from the Vote. My hon Friend who has moved this reduction has asked a question of the Government with respect to the control of the police in Dublin, and I think it would be only courteous of the right hon. Gentleman, whom I observe on the Treasury Bench, to take some notice of it. I have all along entertained a very strong view that the Constabulary should be altogether outside the control of the Central Authority. Therefore, as far as this grant for £12,000 to the

Metropolitan Police of Dublin represents in any sense the control of that Body by the right hon. Gentleman opposite, I think it is our duty to support the Amendment. I am not going to say a single word against the efficiency of the Force, but, having regard to the despotic methods which the right hon. Gentleman the Chief Secretary adopts, I cannot but express the view that they constitute an additionally strong reason why, if possible, we should free the Constabulary of Dublin from the control of the right hon. Gentleman.

*(9.39.) Mr. MORTON: I should like some information about this Vote.

The CHAIRMAN: It is the duty of hon. Members to bring a certain amount of study to bear upon the Estimates.

*Mr. MORTON: I am very sorry, Sir, that I have not been able to apply that study, but it is due to the fact that the Government are taking a Vote on Account. We have not got the opportunity under such circumstances of going through the Vote regularly, and we are surely entitled to full information. I think it is very wrong that the Government should refuse to give the information we ask for.

Question put, and negatived.

Original Question again proposed.

(9.41.) Dr. TANNER: I wish to raise a small matter that has occurred in my own constituency, and with regard to which I have received several letters. There happens to be a sergeant named Joseph Warton, at present stationed at Coachford. This man was recently removed from his former district for gross immorality. There is a child of his who is being supported out of the rates. I think it would be to the interest of the Government when a case of this kind crops up that the man should be reduced in rank. In the present case he was not reduced, but was sent only about 12 miles away—practically only to the next parish. This has been the cause of serious complaint in the district I represent, and I would ask that this man, if he is to continue in the Service, should be sent further away. It is usual when a man marries in a certain district that he should not serve in that district, but should be transferred to some other place. In the same way a man who joins the Royal Irish Constabulary is not allowed to serve in the city of his birth or in a place where he has a number of relations. If that is so, I should say that in a case of this kind where a man has been found guilty of gross immorality he should be removed some distance from his old district.

*Mr. CREMER (Shoreditch, Haggerston): I wish to call attention to two or three items under Classes V., VI., and VII.

Mr. CONYBEARE: As a point of order, I would ask whether it will be competent for me to refer to items which come before those referred to by the hon. Member?

The CHAIRMAN: That will depend upon whether or not the hon. Member (Mr. Cremer) divides the House.

*Mr. CREMER: I shall certainly divide if I do not receive a satisfactory reply from the Government.

(9.47.) Mr. CONYBEARE: Then with the permission of the hon. Member I will deal with the items which come before those he wishes to refer to. I wished to ask a question or two, of the Chief Secretary for Ireland, but it is a very curious fact that although we are dealing with half a dozen Votes relating to Ireland, there is not a single Member of the Government representing that country in the House. It is impossible for me to ask questions in regard to the Constabulary in Ireland in the absence of the Chief Secretary and the Irish Attorney General, therefore, with a view of enabling them to attend, I beg to move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Conybeare*).

Mr. JACKSON: I hope the hon. Member will not press that Motion. I will see that the questions raised are submitted to the Attorney General for Ireland.

Mr. CONYBEARE: It is not fair to the Secretary to the Treasury that I should put questions to him affecting Ireland.

MR. JACKSON: I will see if one of the right hon. Gentlemen representing Ireland can attend.

MR. CONYBEARE: I trust the Government will acquit us of any desire to delay the proceedings, and I withdraw the Motion on the understanding that one of the Members of the Government representing Ireland will attend.

Motion, by leave, withdrawn.

(9.52.) MR. CONYBEARE: The first question I wanted to ask the Chief Secretary was with respect to what I believe to be a wholly unnecessary police-station at a place within two miles of Cavan, at the entrance to a Lord Farnham's park. There is no crime in the district to justify the number of men at the station, and it is the duty of the Government to get rid of such an expensive and unnecessary display of police force which was only adopted in the first instance as the result of a panic. If the Government can point to any serious crime which has been committed, or any attempt which has been made to inflict injury upon Lord Farnham during the years that have elapsed since the establishment of this police-station it would be a reason why I should not ask for a reduction of the police force in this place, but I challenge the Chief Secretary to produce any evidence of such a thing having occurred. The Police Force throughout Ireland is, as we know, greater than the condition of the country warrants. I should be glad if this were an occasion on which I could argue in favour of a much more general reduction in the expenditure on Irish police; but in a Vote on Account of this nature we must content ourselves with dealing with the question piecemeal. The next point on which I wish for information is in regard to the police on Mr. Olphert's Estate in County Donegal. What are they doing? We have not heard much about disturbance or crime, or agitation in that district for some time, and I desire to know whether the Police Force there is still maintained at the exaggerated number of years ago. I wish to know whether the large Police Force is still maintained at Falcarragh, and whether the workhouse at Dunfanaghy is used for the accommodation of the Constabulary or military. The Constabulary were used by the owner of the Falcarragh Estate in a way in which that Force ought not to have been employed—in the destruction of the growing crops of the tenantry for instance—and I want to know if that has been put a stop to. Another point is whether the Chief Secretary has considered, or will consider, the advisability of putting numbers on the uniforms of the members of the Royal Irish Constabulary? The question is not a new one, having been raised again and again in connection with the Irish police and outrages committed by them, the right hon. Gentleman having taken care to prevent identification of offenders by refusing to have numbers placed on their uniforms. The right hon. Gentleman and his friends are constantly declaring that Ireland is in a most satisfactory condition, and that the Unionist policy has resulted in its pacification. If that is so, there can be no special reason why the police should be employed in any unusual duties under the Coercion Act — such duties as would require that they should be preserved from identification. There have been no conflicts between the police and the people for some time past, and it, therefore, appears to me that whatever reason there may have been for concealing the identity of individual policemen in times past no longer exists. I think I can claim that the time has now arrived when the police of Ireland should be treated in the same manner as the police in this country. If the right hon. Gentleman refuses to alter the regulations, we shall have a right to question his sincerity when he proclaims on public platforms the restoration of law and order in Ireland.

*(10.6.) MR. MORTON: I desire to move to reduce the Vote by the sum of £5,000, the item for Cyprus. I do not think the Island is of any use to this country, or that there is any reason why we should be called on to pay £10,000 (£5,000 of which is now asked on account) a year in respect of it. As I understand the matter, when we took possession of the Island in 1879, we were told that it would be no charge to this country, and I want to know in what relation it now

stands to the British Crown or to the Sultan of Turkey. It is the duty of the Government to prove that there is some need for this money. So far as I can see, the Island is of no use to anyone but a clique of officials who hang about London waiting for good salaries, and do not mind where they go. I shall persist in moving the rejection of the Vote unless the Government can show that there is some good reason for our retaining possession of the Island.

Motion made, and Question proposed, "That Item, Class V., 'Cyprus, Grant in Aid, £5,000,' be omitted from the proposed Vote"—(*Mr. Morton.*)

MR. CONYBEARE: I certainly sympathise with my hon. Friend in what he has been saying, and shall be happy to vote with him if he goes to a Division; but I would point out to him that no reply has been tendered to me in regard to the points I raised, and, furthermore, that there are several questions to be raised in connection with two or three items which he has passed over in order to move this reduction. I would suggest to him that he should withdraw his Motion.

*MR. MORTON: I shall be happy to withdraw the Motion for the present on the understanding that I can bring it forward later on.

THE CHAIRMAN: Is it the pleasure of the Committee that the Motion be withdrawn? [*Cries of* "No!"]

*MR. CREMER: I did not hear the hon. Member make a Motion.

*MR. MORTON: I did make one.

*(10.14.) MR. CREMER: I shall vote for the Amendment unless some account is given of the way in which this money is expended. It seems to me to be a monstrous thing that the Government should ask for £10,000 as a grant in aid for Cyprus, without affording any information as to how the money is to be expended. We have no information as to whether the retention of the Island is of any use to this country, and there are many out of doors, I may add many in this House, who if asked to state the exact position the Island of Cyprus occupies in relation to this country would be unable to give us any definite information. Is it a Crown Colony? Has it any connection with the Turkish Empire, and, if so, what is the nature of that connection? Is its retention of any advantage to us, and, if so, what is the advantage? Unless we are informed on these matters we shall be perfectly justified in pressing the Amendment, and also in continuing our demand for full information on this subject. As far as I can learn, the acquisition of this costly Island is about the only thing we are able to boast as the result of the spirited Foreign policy we heard so much about a few years ago.

(10.17.) MR. CONYBEARE: I must say that the way in which business is being conducted is exceedingly unsatisfactory. ["Hear, hear!" *from the Ministerial Benches.*] Members opposite cheer, but I refer to the unsatisfactory conduct of right hon. and hon. Gentlemen on the other side of the House. We are asked to vote a large sum of money for the Island of Cyprus, as a Vote on Account, which is to cover the period between now and the end of the Session. If business is to be conducted in this way we are simply wasting our time in coming here to consider these Votes. Surely we are entitled to information on this question. Surely the Government are not going to say they are not disposed to discuss such matters. If we are not to discuss them why are they put on the Paper? It is all very well to say the information is obtainable on the general Estimates, but that is hardly an answer to the hon. Member who moved the reduction of the Vote. This Vote involves the question of our relations with the Ottoman Empire, and the extraordinary arrangement which still prevails by which Lord Beaconsfield made us tenants on a long lease, and at a rack-rent payable to Turkey, of the Island of Cyprus. We know that a small Blue Book is annually published dealing with this Island, but I cannot discover in that any answer to the questions we desire to receive information upon, regarding the policy of our relations with the Ottoman Empire. We have a right to know what is to be done with the money now asked for, and I should like to know the total amount we have had to pay in shape of annual

contributions to the Sultan of Turkey for the pleasure of looking after this outlying estate of his. I should like also to know what is the character of the Force we have to retain on the Island, and how long it may be necessary to maintain it there. Are we to be told that it is expedient that this Island should become one of our military stations in the Mediterranean? Will the Government say Aye or No to this question? We have been paying £80,000 or £90,000 a year as the rent of this Island to the Sultan. Have the Government considered whether that payment is to be perpetual? Will the Government consider the propriety of applying to Cyprus the principle of land purchase they are applying to another Island, because, as we are responsible for the government of the Island, it might be well to consider whether we should not pay the Sultan out and out, and become the owners of the fee simple? I should like to know whether Cyprus belongs to us or to the Turks. If it belongs to us we might not grudge the amount required to keep it in order. If not, we ought to arrange with the Turks so that we may not be called upon to make any further contribution. Whatever the Turks may get out of the Island, we get nothing—not even in the shape of *kudos*. It seems to me that, whether from the sentimental or the pounds, shillings, and pence point of view, the Island is totally useless to us, and I am certainly opposed to the continuance of this grant in aid for the maintenance of our supremacy in that Island. It would be much more sensible to apply the money towards the consolidation of our rule in other parts of the world than to squander our resources in keeping up this Island as a garden for the Sultan of Turkey. I cannot help expressing regret that we cannot go into these matters. I was desirous of raising some questions in regard to the Diplomatic Service. [The CHAIRMAN: Order, order!] But I shall not do so on the present occasion. But the Government must not complain if, upon the next occasion that they ask for a Vote on Account, we find it necessary to go over the ground again. It cannot conduce to the rapid progress of Public Business that we should be required to vote these sums half in the dark upon these various occasions, and we cannot do justice to our constituents when we have to take *en bloc* as it were a whole series of Votes. I presume that later on we shall have a third Vote on Account, and I shall not consider myself precluded from discussing these matters more at length on that occasion.

(10.27.) MR. PICKERSGILL: I should like to press for a reply on a question of such importance. Of course, it is inconvenient, no doubt, for a Ministry to be called upon at a moment's notice to give information on every item included in this Vote; but if the Government choose to bring forward Votes on Account they ought, I think, to be prepared to face the inconvenience which that course entails. I am not quite sure whether the Vote upon which information is now desired is controlled by the Foreign Office or the Colonial Office. Unfortunately the Representatives of both those Offices are absent; but in their absence I think we have a right to require that there should be some other Minister present who is prepared to give the necessary information.

*MR. JACKSON: I thought after the remark of the hon. Member for Camborne (Mr. Conybeare), that on a subsequent occasion he proposed to raise these questions again, it was hardly necessary to follow him into detail now. If I may venture to say so, this is hardly the time to discuss questions of policy. When the Vote itself is taken an opportunity will be afforded of discussing any matter it is thought right to raise. I think I may go further and say it is most unusual on Votes on Account to raise questions of general policy such as questions relating to Cyprus. The hon. Member for Peterborough (Mr. Morton) complained he had not all the information he requires. I suppose he has never looked at the original Estimate, but has simply contented himself with glancing at the Paper which bears the amount of the Vote on Account. The hon. Member for Camborne spoke as though the tribute, or what he called rack-rent, was paid to Turkey. I am sure he knows perfectly well that not 1s. of the tribute has gone to Turkey. It has been explained in the House over and over again that the

amount is simply intercepted. We should have to pay the same sum whether we took it in that form or any other. We are responsible for the payment of a certain share of the guaranteed debt. [Mr. CONYBEARE: Why do we have to pay it?] We should have to pay it in another form if not in this. These questions have been answered over and over again in the House. I hope the Committee will not think that in our not rising to reply there was any desire to act discourteously towards hon. Members who have raised these questions. The Vote will have to be taken on a subsequent occasion when all these questions can be raised again.

(10.33.) SIR W. HARCOURT: I quite agree that there is great difficulty in discussing all these matters upon a Vote on Account, but the difficulty is really not of our making, it really is the making of the Government. It is all very well to say that the Vote for Cyprus is coming on in the Estimates; but when is it coming on? That is exactly what we have not been able to ascertain. I regard this question of Cyprus as an exceedingly serious one, and I have long wished to discuss it in the House. The Secretary to the Treasury has failed altogether to appreciate the point. This is not a question of whether this money is paid to Turkey, but whether it is taken from Cyprus. Cyprus is the only Dependency of England I know of from which you take money and devote it to other purposes. It is quite true Turkey owes you money, and therefore you do not let Turkey have it. But you take it from Cyprus under the name of tribute, and, having taken £100,000 or thereabouts a year from Cyprus, you find you have so impoverished the country that you are obliged to take power from the English taxpayer to make up the void you have created. The condition is most disastrous and most discreditable to the English Government. We remember the flourish of trumpets with which Cyprus was acquired. Cyprus was to be a model of government in the East. We recollect a Cabinet Minister saying that it was to inaugurate steam ploughs in Asia Minor, and all the rest of it; and now you have got there certainly one of the most squalid Administrations, one which is unable to perform its duties. Whether the money you take from the country is paid to Turkey or the bondholders is immaterial. Money is taken out of an extremely poor country, and in my opinion the state of things is most unsatisfactory. The position in which we find ourselves to-night is a very good illustration of the infinite mischief and danger of postponing the discussion of the Estimates. In a few weeks time, when the Adjournment of the House is imminent, we shall be told, "Oh, there is no time to discuss the Cyprus Vote." We fully recognise the ability and industry with which the Secretary to the Treasury deals with all these matters in the absence of the Ministers specially responsible for such Votes as this. Yet we are bound to take note of the position in which we are placed by the taking of these Votes on Account.

(10.40.) MR. LABOUCHERE: I wish to take note of two observations which fell from the Secretary to the Treasury. He complains that we have not sufficiently and adequately studied the main Estimates in order to discuss Votes on Account. We will endeavour to please the right hon. Gentleman by studying those Estimates in future. In the second place, the right hon. Gentleman asks us to suspend the discussion on Cyprus, and promises us that we shall have an adequate opportunity of discussion on the Estimates themselves. Now, let us make a note of that. We are to have adequate discussion, not the end of an evening or an occasion at the end of the Session. I suppose the Government will give us a whole evening, and I must confess that, considering the importance of the questions involved, it is not unreasonable to expect that an entire evening will be devoted to the discussion of the Cyprus Vote. Under the circumstances, I recommend my hon. Friend the Member for Camborne not to continue the discussion to-night, but to agree to the proposition of the Secretary to the Treasury on the full and distinct pledge of the right hon. Gentleman that we are to have pretty well an evening later on in the Session for the discussion.

MR. CONYBEARE: I am quite willing to accept the suggestion of my

hon. Friend, but I wish to guard myself against a wrong impression the Secretary to the Treasury seems to have formed. I did not at all intend to convey that I should on any future occasion traverse all the ground I have traversed to-night, but what I did intend to convey was that if we allow the Government to take these snatch Votes we shall not consider ourselves precluded from dealing with these questions hereafter. My excuse for troubling the Committee at all to-night is that hitherto we have not had any adequate opportunity of discussing foreign and colonial questions. The Secretary to the Treasury has pointed out that this tribute or rent goes towards the payment of the guaranteed debt. Is that a debt in which the country is interested, or a debt in which certain classes of persons known as bondholders are interested? I conceive that there is a considerable difference between a debt in which we as a nation are interested and a debt in which only a certain portion of the population as bondholders are interested. Of course, if this is a debt to the nation we cannot complain of a certain portion of the revenues of the Turkish Empire being sequestrated for the purposes of that debt. But I should like to ask the right hon. Gentleman whether, if it is a guaranteed debt to this country, it is a solitary instance of the kind, or whether there is any case in which a similar course of action is pursued? I ask this question for very good reasons. Portugal owes us several millions sterling, and I ask the Government what course is being, or is to be, pursued in reference to that debt?

THE CHAIRMAN: That has no analogy; and, moreover, it is entirely out of order.

MR. CONYBEARE: I do not for a moment intend to transgress the Rules of Debate, and I will reserve that point for a future occasion. I will conclude what I was saying by asking the right hon. Gentleman to state, if he can, whether this is merely a debt in which bondholders are interested or a debt to the nation.

MR. MORTON: The right hon. Gentleman says it is an unusual thing to discuss these matters on Votes on Account. That is not our fault. There ought to be no such things as Votes on Account. We have got an undertaking discussing these matters, and probably the discussion of them is the best way of putting a stop to these Votes on Account. We have got an undertaking from the Government, however, that we shall have an adequate opportunity of properly discussing this Vote on another occasion, and, under these circumstances, I ask leave to withdraw the Amendment.

*(10.50.) MR. JACKSON: Perhaps I may be allowed to answer the question put by the hon. Member for Camborne (Mr. Conybeare). He will find, if he will turn to the Estimates, that this is a debt which was guaranteed by this country, and, therefore, this country is responsible for it. The hon. Members for Camborne, Peterborough (Mr. Morton), and Northampton (Mr. Labouchere), have referred to what they call the undertaking that there shall be ample opportunities for discussing this hereafter, and the hon. Member for Northampton was good enough to draw imaginary pictures about spending a whole night in discussing the Vote for Cyprus. What I said was that there would be an opportunity for discussing the matter when the Vote itself was taken, and that it was unusual to discuss such matters on the Vote on Account. That was all I said, or intended to say. I am sure that hon. Members, having discussed the matter at such length to-night, will be desirous of saving the time of the House in Committee.

DR. TANNER: I would ask the right hon. Gentleman whether this will be the last grant in aid to Cyprus? Last year some £35,000 was asked for, and it was then stated that that would be the last time a grant in aid would be asked for.

MR. JACKSON: I am afraid, Sir, no promise of the kind asked for by the hon. Member can be given. It is true, however, that at this particular time Cyprus is in a more prosperous condition than ever before.

DR. TANNER: The right hon. Gentleman took exception to the hon. Member for Peterborough not

studying the Estimates. I have taken up the Estimates in connection with this matter, and I find that last year you asked for £35,000, and said that would be sufficient to deal with all the items of expenditure. This year there is a Vote on the Estimates to the effect that a sum of about £15,400 is enough to meet the total demand up to the 31st of March, 1891, but, as the High Commissioner has only asked for a grant of £10,000, provision is only made for that amount.

(10.55.) SIR W. HARCOURT: I do not think the hon. Member does quite appreciate the whole state of the case, and it is the very seriousness of it that prevents the Secretary to the Treasury from giving any pledge for the future. The real truth is, you rob Cyprus of a large sum of money which should be devoted to its administration, its roads, its public works, and so on, to the extent of something like £100,000 a year; you impoverish Cyprus to such an extent that you are obliged to re-vote money from the English taxpayers that you may decently and very barely carry on the affairs of Cyprus, and there is no chance of our failing to have a Vote of this kind every year. Sometimes it will be more and sometimes less, but there will always be a Vote so long as this country is obliged to withdraw from Cyprus a large sum of money annually. You may have to vote £40,000 or £50,000 next year. That is the situation—the serious situation—which I think the House, if not to-night, must at some other time take notice of. I think it is one of the greatest blots upon the administration of any part of our dominions.

*MR. GOSCHEN: The right hon. Gentleman has omitted to mention that during the five years he and his friends had control of affairs the same state of things prevailed in regard to Cyprus.

SIR W. HARCOURT: It was not we who took Cyprus.

*MR. GOSCHEN: And now the right hon. Gentleman makes it matter of reproach against the present Government, though his Government allowed the same state of things to continue from 1880 to 1885. Now he thinks the moment has arrived when it is absolutely necessary that these grants in aid should cease. During the whole period of his government this state of things was allowed to continue, because the right hon. Gentleman and his friends were well aware that we were under an obligation to pay this sum in one way or other to Turkey, or to the credit of Turkey. Then and now we were, and are, under an International Act obliged to make these payments. This sum represents the amount Cyprus paid to Turkey prior to the arrangement made under which Cyprus came to us, and under an agreement then entered into, rightly or wrongly, this sum, equivalent to the amount of tribute, has been paid over. It may be a bad arrangement, but the right hon. Gentleman and his friends found it impossible to set aside an International Act, as we find it impossible. We are glad that, through improved administration and the increased prosperity of Cyprus, the loss is lighter to Cyprus and to this country than during the previous five years; but it should be understood that we have no power to set aside this arrangement, by which it is an obligation upon us to pay over a certain sum annually.

SIR W. HARCOURT: The right hon. Gentleman has entirely mistaken the purport of my remarks. No doubt the late Government were obliged to fulfil the obligations imposed upon the country by their predecessors. In order that you might take Cyprus you undertook to pay this sum of £100,000 a year to Turkey, and you also undertook most stringent obligations in Asia Minor and other parts of the world. This was the price you paid—an enormous price—for that which, in all points of view, is altogether worthless, and the bad bargain means an injustice to this country, and it prevents your doing justice to Cyprus; and with the experience we have had, and with the obligations under which we lie, you ought to make arrangements of a different kind which will not be so unjust to the people of Cyprus as the present arrangement is. This is a point I have long desired to place before the House, though I will not raise a discussion to-night; but, in my opinion, these obliga-

tions, placed upon this country in 1878, are not only extremely prejudicial to the interests of this country, but most unjust to the people of Cyprus.

(11.0.) MR. LABOUCHERE: There was one observation fell from the Chancellor of the Exchequer which I must take the liberty of questioning. He says this £90,000 represents the amount—I presume he means is equivalent to the amount—that Cyprus used to pay to Turkey before the island was handed over to us. Now, that is a statement we have denied again and again, and we have asked for the evidence upon which it is made. The cession of Cyprus was secretly arranged and suddenly sprung upon us behind our backs, in the dark, and to the surprise of the greater part of Europe, and it was, therefore, impossible for the Government at that time to obtain any exact information as to the amount of money actually paid by Cyprus to Turkey—that is, the amount in excess of Turkish expenditure in Cyprus. The Turks asked for £90,000, very naturally. I wonder they did not ask £900,000! There was no investigation into the matter, and it has been asserted that Cyprus did not bring into Turkey more than from £10,000 to £30,000 a year, notwithstanding the most severe oppression. Well, we having engaged to pay over £90,000 in excess of the expenditure upon the island, cannot obtain it from Cyprus. I do not complain that the British taxpayer has to pay; it is well that the country should have brought home to it in this practical form the result of these wild Jingo eccentricities. We were told that the late Lord Beaconsfield brought us peace with honour; Sir, he brought us home peace with Cyprus and a charge of many thousands on the British taxpayer for an island absolutely and entirely worthless to us.

(11.3.) MR. CONYBEARE: I thank the Chancellor of the Exchequer for answering the question put to him. It now appears that the guaranteed debt the Secretary to the Treasury spoke of is a debt which we guarantee to the bondholders, not a debt of this country to Turkey, a debt to the bondholders who are interested, because I suppose they have advanced money at 6 or 8 or more per cent. Now, I am not going to trouble the Committee with reflections upon the morality of the position of the bondholders or to inquire why we should be bound to regard their debt; all I say is, that now we understand exactly where we are in this matter, no matter what were the international obligations undertaken when this ridiculous arrangement was entered into by the late Lord Beaconsfield, we have a right to insist that the time has come when the whole affair should be reconsidered with a view to relieve the unfortunate Cyprians and the taxpayers of this country from the burden of this charge. I should like to ask the right hon. Gentleman whether he will place before the House, in order that we may have a basis to consider this question on a future occasion, a Return showing exactly the amount that is required for the liquidation of this bondholders' debt? Does the right hon. Gentleman mean to tell us that the whole of this amount—£90,000, or whatever it is—which goes to Turkey, is required for the service of this debt? Can he satisfy us that a large portion of this sum does not go to maintain the Sultan's harem or for other questionable objects? I am not at all satisfied that anything like £90,000 is required for the service of the guaranteed debt; but if it were, I am here to assert that it is time to tell Turkey to find other sources of revenue, and not to wring the money by oppression from those for whose prosperity we are responsible. I hope the right hon. Gentleman will endeavour to furnish us with some information on this point, so that we may place the whole matter more fully before the people of this country on some future occasion. Certainly, I hope that, this question of policy in regard to Cyprus having been raised, we shall not let it drop until we have compelled the Government to go to Turkey, and say to them, "My dear friends,"—we know how dear is the friendship of the Turks to a Tory Government—"we find that our people in England will not tolerate the paying over of all this money. You must, therefore, revise your arrangement with us." We all know how, when it was a question of the debt of Egypt, the

right hon. Gentleman went with all alacrity to Cairo and made all sorts of arrangements for his friends the Egyptian bondholders. He is now Chancellor of the Exchequer, but he may not hold that office for long. Let him assist the bondholders interested in this Cyprus Guaranteed Debt; for so soon as he loses his present position—a consummation that must shortly arise—we shall take the matter in hand in earnest, and cut down these bondholders, clear them out from the revenues of Cyprus, and inform the Turks that they must pay their debts from other sources of revenue.

(11.8.) MR. GOSCHEN: It might be expected that an hon. Member who takes up the time of the Committee should, at all events, make himself acquainted with the first elements of the matter with which he deals.

MR. CONYBEARE: So I have.

*MR. GOSCHEN: The absolute ignorance the hon. Member has displayed is astounding. I take no notice of the rudeness of his remarks; as they concern me personally, I can afford to pass over these; but here is the hon. Member speaking with crass ignorance of the debt to which the Cyprus tribute is applied as a debt raised at 6 or 8 per cent. The debt was not so raised; it was raised at the time of the Crimean War by the joint influence of England and France at the rate of 4 per cent., and it was raised under the guarantee of England and France, so far as the interest was concerned, there being also provided 1 per cent. for the Sinking Fund. The loan was raised at a time when, rightly or wrongly, this country thought it was right to give financial assistance to Turkey while Turkey was our ally in the war then being carried on. These facts are so notorious that I am surprised the hon. Member should have wasted time with such remarks as he has addressed to the Committee. The hon. Member says, "How do we know that part of this money does not go to support the harem of the Sultan," and I dare say he thought that was a very pungent remark. As a matter of fact, it is paid to the Bank of England to pay 4 per cent. on the money advanced under the guarantee of England and France, and I believe Returns are periodically presented showing the reduction of this debt, which has existed from 1854 downwards, and the service of which has been regularly conducted by the Bank of England. That is the history of the debt which the hon. Member has made the subject of such remarks as those with which he has wasted the time of the Committee. The Committee is entitled to the fullest knowledge on this matter, and, if I am not mistaken, Returns have been presented in regard to this debt, but, if they have not been, they can be presented. But the whole matter is well known to anyone acquainted with finance in the slightest degree. The Governments of England and France are responsible, and we have intercepted this revenue due to Turkey for the purpose of paying this debt incurred by Turkey under the political influences of the time, and under the guarantee of England and France. I trust that, notwithstanding the aggressive manner of the hon. Member, I have given complete information.

MR. SINCLAIR (Falkirk, &c.): Perhaps the right hon. Gentleman will add to the information on one point, and that is, whether any portion of the principal has been paid? He has referred to 4 per cent. interest and 1 per cent. Sinking Fund. Has any part of the principal been paid off, and what prospect is there that the charge will cease?

*MR. GOSCHEN: The 1 per cent. has been suspended for some time. We have not paid over the balance of the tribute to Turkey between 1881 and 1890. Proposals have been made for paying off the debt, and no doubt an opportunity will occur when negotiations can be entered into with Turkey on the subject.

(11.15.) MR. CONYBEARE: The right hon. Gentleman has exercised his spleen in his usual moderate manner by some very caustic references to myself, and I have no wish to respond in like manner. The Chancellor of the Exchequer seems to think it was rude to remind the right hon. Gentleman of his connection with the finances of Egypt, but I leave the Committee to judge whether it was not certainly much ruder to denounce a Member of this

House as crassly ignorant. The right hon. Gentleman has gone out of his way to abuse me on the ground that I have wasted the time of the House, but I should like to know how many of those hon. Members who applauded that remark could have supplied all the valuable information my remarks have elicited? During the evening we have been putting questions on this subject, but it was not until the right hon. Gentleman rose to reply to my remarks, with righteous indignation, that we received the information we desired. For three or four Sessions I have known this subject to have been brought under discussion, but I am bound to say, however notorious these matters may be —I do not say they are not, but I am sure not a score of Members here could have given the facts as the right hon. Gentleman has—I do not remember on any occasion that we have had such an intelligent and interesting explanation as my humble remarks have elicited. For my part, I claim to have done a public service in having at last extracted valuable information from the right hon. Gentleman. But whatever the origin of this debt may be I may take exception to the right hon. Gentleman's denunciation of my crass ignorance in the matter, because the question I raised was not as to the origin of the debt. I may have interpolated a remark of a sarcastic nature in reference to the Sultan's harem, but the right hon. Gentleman seems incapable of taking such remarks in the spirit in which they are uttered, and takes them *au pied de la lettre*, so that he may find fault with the observation. I asked if the Government could give us information to satisfy us that the whole of this money does go to the service of this debt, or whether there was not reason for assuming that the sum extorted from Cyprus was greater than might be required for the service of the debt, a portion going towards the Sultan's personal expenses. I think the Committee will see that I am not liable to the charge of crass ignorance and all that sort of thing, with which the right hon. Gentleman endeavoured to cover his retreat. I am obliged to the right hon. Gentleman for the information he has given, which, I think, goes to justify our resistance to this Vote, and demand for more specific information. I may observe that the knowledge of the right hon. Gentleman on this subject does not seem complete; "he believes" that Returns have been presented; but surely, in his position in a financial Department, it is his business to know whether this Guaranteed Debt is being properly served or not——

MR. GOSCHEN: It is. That I know.

MR. CONYBEARE: It is the duty of the right hon. Gentleman to know whether this Parliamentary Return relating to his own Department has been presented; it is impossible for us to keep acquainted with every series of Parliamentary Papers. I do not think the right hon. Gentlemon is himself altogether free from the charge of ignorance he levels against me.

*MR. MORTON: I am obliged to the right hon. Gentleman for the information he has given, and I think we are now placed in a position to debate the matter more fully on a future occasion. I now ask leave to withdraw my Motion.

THE CHAIRMAN: Is it your pleasure the Motion be withdrawn? [*Cries of* "No!"]

(11.20.) The Committee divided:—Ayes 35; Noes 116.—(Div. List, No. 250.)

Original Question again proposed.

(11.30.) MR. CONYBEARE: Before we pass on to other items I should be glad to have some information in reference to the subsidies to Telegraph Companies. These subsidies are paid to various companies having telegraphic communication with East and South Africa, and between Halifax and Bermuda, and I observe they are to continue for 20 years. I would like to know what the arrangements are to be at the end of that period. Then, further, I should like to know in reference to the appropriations in aid of these Telegraph Companies from various colonies, upon what basis these appropriations are fixed, and whether they are liable to increase with the wealth of the colony? Why, I should also like to know, are contributions taken from some colonies

like Gambia, the Gold Coast, Sierra Leone, and Lagos, and not from Natal, Cape Colony, the Transvaal, and other places? I hope I may not lay myself open to a further charge of crass ignorance if I confess I do not know why the distinction is made, and ask for the information I do not find in the Votes.

(11.35.) MR. JACKSON: The simple answer is that the terms depend on the bargain that was made at the time when the telegraph was laid. Sometimes there was a reduction in the rate, and in other instances there was an appropriation in aid. It is quite impossible for me to give any answer as to what may be done when the period for the payment of the subsidy has expired, but in all probability business will have grown to such an extent that a subsidy will no longer be required.

DR. CLARK: I desire to say a word or two upon Class VI., for I am afraid that another opportunity may not occur until quite the end of the Session. This is a continually increasing Vote, and I find, as usual, that reorganisation of Departments has led to a considerable increase, and we have the usual increase from illness and old age. Under the head of Colonial Pensions there are three cases of gentlemen retiring with pensions of £1,000 a year. One of these is 56 years of age. He was very willing to have remained a Colonial Governor, but it was thought wise to suspend him on the ground of ill-health, and he is now a Member of this House. Another of these gentlemen who has retired with a pension of £1,000 is also willing to go back again to his duty if allowed a free hand; but this the Colonial Secretary will not give him, and so we have to find a pension of £1,000 for this gentleman, who, since his retirement, has been put upon the directorate of three banks—the London and Westminster, where I suppose he gets £500 a year; the Standard Bank of South Africa, where I know he gets £500, and I dare say he gets the same from the other undertaking with which he is associated. In the Consular Service too, I find cases of men retired in the prime of life on handsome pensions. But the point to which I particularly wish to draw attention is a case upon which I happen to know something, and with that knowledge I know how easy it is to throw dust into the eyes of the Treasury in reference to this matter of pensions. I propose to move the reduction of the Vote by £73 6s. 8d., and I think I shall be able to show good reason for doing so, and why this particular pension should cease. On page 343 we find the salary of Mr. A. R. Sawyer as £400 a year, as Assistant-Inspector of Mines, and he has retired from that post with a pension to the amount I have mentioned. Now myself and the hon. Member for Mid Lanark, as directors in a colonial undertaking, had occasion to invite offers from gentlemen as managers with a salary of £2,000 a year. Among others, this gentleman (Mr. A. R. Sawyer) applied, and from among many candidates he was appointed. Needless to say, when he received the appointment he was in very good health, of some 56 years of age, and for the past 12 months and more, he has been in receipt of a handsome salary of £2,000. But what a farce it is that this Gentleman leaving the Service, and taking an appointment with five times the salary he had been receiving, should also be in receipt of a pension of £73 6s. 8d. I beg to move the reduction of the Vote by £73 6s. 8d.

Motion made, and Question proposed, "That Item, Class VI., 'Superannuation and Retired Allowances, £120,000,' be reduced by £73 6s. 8d."—(*Dr. Clark.*)

*(11.40.) MR. GOSCHEN: The hon. Gentleman says it is easy to throw dust in the eyes of the Treasury, but I have always thought the complaint has been that the Treasury are too strict in the matter of these pensions. There is no part of the duty of the Treasury more painful, and requiring greater firmness than the granting of pensions to those who claim to be unable to serve the country longer. I am not sorry the hon. Gentleman has called attention to this matter. No doubt abuses are to be occasionally discovered; but I can assure the Committee that the Government are fully alive to the necessity of hedging round the granting of pensions with every possible precaution. It

is necessary now, not only for the medical man of the applicant to certify that he is unfit for work, but also that a medical man on behalf of the Pension Committee should certify to the same effect. I can assure the Committee that there is a growing tendency in the Department to surround with every possible precaution the granting of pensions.

MR. H. H. FOWLER (Wolverhampton, E.): I quite appreciate what the Chancellor of the Exchequer has said as to the difficulty of dealing with pensions, but that is not the question raised by my hon. Friend. He is not disputing the propriety of the Treasury granting pensions to Civil servants, but what he does complain of is that gentlemen should leave the Civil Service because they are physically incapable of earning their salaries, and suddenly become physically capable of earning much larger salaries elsewhere. I want the Chancellor of the Exchequer to say that when a pensioner takes another post outside the Civil Service, then his pension should cease. Sooner or later the taxpayers of the country must revolt against this system. I also wish to ask what the Government intend to do with regard to the recommendations of the Royal Commission on Pensions and Superannuation Allowances, presided over by my hon. Friend the Member for Blackpool? I wish to know whether the Government intend to initiate any legislation with a view to carrying out those recommendations?

*(11.47.) MR. GOSCHEN: We are deeply indebted to the Commission for their labours, and their recommendations have borne fruit in the departmental arrangements we have been able to carry out without legislation; for instance, the requiring that the medical certificate shall be from the departmental medical officer as well as from the medical attendant of the Civil servant is a safeguard due to a recommendation of the Commission. Of course there is always the question of vested rights upon which the Civil Service is extremely sensitive. I do not know what legal power the Treasury would have to stop a pension when once it has been granted, but in my opinion it is only just to the taxpayers that when a pensioner takes an appointment with a salary far beyond that he has been receiving in the Service his pension should be rescinded. It is a very delicate matter, and one well worthy of attention, and I am not at all sorry the right hon. Gentleman has called attention to it.

DR. CLARK: The right hon. Gentleman does not appear to have appreciated the point of the case I have mentioned; let me mention the facts again. When we appointed the General Manager he was Assistant Inspector of Mines; he then, upon being appointed, sent in his resignation and proceeded with his new duties at five times the salary he had been receiving. I do not know a better case in point. This is the first time we have been called upon to vote this pension, and I do not see any ground for voting it. My hon. Friend the Member for Mid Lanark and myself gave the man this appointment as manager, for which he was candidate, while holding the office of Assistant Inspector of Mines; he gave a months' notice, and he came into our service some 18 months ago. He was then hale and hearty, and this time last year I saw him in South Africa in excellent health, and performing far more arduous duties than he discharged in the Civil Service at home.

*(11.50.) MR. GOSCHEN: I will examine into the matter carefully. Of course the hon. Member will not expect me to act upon a statement without hearing what can be urged on the other side.

MR. CONYBEARE: The Chancellor of the Exchequer does not misapprehend the point brought to his notice, he simply knows nothing of the circumstances. But I simply wish to say in relation to these matters that there is no delicacy or difficulty in dealing with them. It would be quite easy to provide, by legislation if necessary, that, when a person who enjoys a Government pension on account of age or ill-health earns a private salary, his pension should be proportionately reduced.

(11.54.) DR. TANNER: Possibly the gentleman who suffered from ill-health in his occupation under Government recovered under the influence of a more genial climate and the employment of my hon. Friend. But I rose to mention in a few words the large item the Irish Constabulary present. It is an extraordinary thing to find the sum total required for the Royal Irish Constabulary this year given at £1,688,088. If things are going on so well in Ireland, and the Government are succeeding so well, it is remarkable that there should be such an enormous expenditure on the support of this artificial Force. I maintain that even this sum does not comprehend all the money voted for the support of the Royal Irish Constabulary. I should have thought that the Government, if only to throw a veil of decency over the administration in Ireland, would have taken some steps to cut down the expenditure on that body. I do hope that hon. Members will pay some attention to these stupendous figures, and will try to get them cut down for the benefit of the country from which I have the honour to come, and also for the benefit of the British taxpayer.

Question put, and negatived.

Original Question put, and agreed to.

Resolution to be reported to-morrow, at Two of the clock.

Committee to sit again to-morrow, at Two of the clock.

TRAMWAYS (IRELAND) ACT (1860) AMENDMENT BILL.—(No. 160.)

COMMITTEE.

Considered in Committte.

(In the Committee.)

(12.4.) MR. KNOX (Cavan, W.): I do not wish to insist on the Amendments I have put on the Paper if I can get an undertaking that a Government measure will be introduced as soon as possible to remedy the Tramways Act of 1883, and to put an end to the many great injustices which result from that Act. I think some indication was given some time ago that the Government were considering the advisability of amending that Act.

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I do not think the Amendment is at all in accordance with the scope of this Bill, the object of which is to amend the Tramways Act of 1860 with regard to tramways which do not involve baronial guarantees. The Amendment relates to tramways promoted under the Act of 1883. The hon. and learned Member asks whether the Government are prepared to give an undertaking to amend the Act of 1883. I have formerly stated that a Bill might be usefully introduced to amend that Act, but I am not prepared on behalf of the Government to give a definite undertaking on the subject. I hope the hon. Member will not delay the progress of this Bill by endeavouring to move Amendments which are not really pertinent to it.

MR. KNOX: I move, Mr. Courtney, that you do report Progress, and ask leave to sit again.

THE CHAIRMAN: I have indicated on former occasions that I believe the Amendment of the hon. and learned Gentleman is out of Order. It is open to any Member to oppose the progress of the Bill; but the Amendment could not be entertained.

(12.7.) Committee report Progress; to sit again To-morrow.

BUSINESS OF THE HOUSE.

On the Motion for Adjournment,

(12.11.) MR. CONYBEARE (Cornwall, Camborne): Is it intended to take Morning Sittings on all Tuesdays and Fridays till the end of the Session?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): That is a matter for the decision of the House. We have naturally continued the arrangement already made that Tuesdays and Fridays should be Morning Sittings.

House adjourned at ten minutes after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, 26th May, 1891.

NEWFOUNDLAND FISHERIES BILL.

OBSERVATIONS.

*LORD DENMAN: My Lords, on the 11th May I gave notice that on the Motion for the passing of the Newfoundland Fisheries Bill I should move an Amendment that it be passed that day four weeks, which would have been the 8th June. I believe a little delay would be extremely useful, and although, from my deafness, I was not able to hear when the question was put, yet if I had been both deaf and dumb, somebody should have been deputed to watch how the business of the House was going on. It is objected that we ought not to be in the position of waiting for the passing of a Bill in the colonies, but it is not, I think, beyond the pale of the Constitution to say that if Her Majesty chooses to withhold her Royal Assent until a Bill passes in the Legislature of Newfoundland, it would be more likely to produce peace than any hasty measure that could possibly be passed.

EVIDENCE IN CRIMINAL CASES BILL. [H.L.]

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR: My Lords, this Bill, which seems to me to be one of very serious importance indeed, has been approved, so far as I know, by every one who has discussed the matter. The object of the Bill is to enable accused persons to give evidence in their own behalf in criminal cases as well as in civil cases, and, although it has not passed into law, it has several times been before your Lordships' House as well as the other House of Parliament. I do not believe that any person, unless he were to look into the Statute Book for the purpose, could have any idea how very absurd, incongruous, and even, I may say, ridiculous, is the present state of the law in regard to giving evidence in criminal cases. Many years ago, as your Lordships are aware, the old illogical theory of the law was carried out to so great an extent that, in civil cases even, parties who had any interest in the subject-matter of the suit were not permitted to give evidence; but that has been changed, and for some years past now the persons concerned in such cases have been allowed to go into the witness box in their own behalf, and it is generally admitted that the change has had beneficial results. Speaking from my own experience, over a very considerable period, during the greater part of my professional life, I am convinced, and I feel sure that the experience of most Judges on the Bench will have convinced them that that was a great improvement upon the state of the law as it stood before that time. In fact, when one considers how cases are tried now, one is often at a loss to know how they could have been tried formerly with any regard to doing justice. It is difficult to understand how, under the old state of the law, it was possible to arrive at the truth. No doubt there was great skill shown in the management of causes at *Nisi Prius*, and people were fascinated with the great art displayed; but the result was not always in accordance with justice, though persons skilled in intellectual exercises might be interested in seeing how justice could be arrived at in certain cases without calling the parties most interested. That has long since passed away; but to the general alteration of the law in that respect an exception was made. When the law was altered in regard to civil cases it was provided that the alteration should not extend to criminal cases. It was, I presume, thought too great an alteration of the old principle of the law to be applied to them. But since then there have been alterations and departures from the original theory of the law, though it is still in the incongruous, and, as I have said, even ridiculous, condition that you may have the same tried, practically at the option of the accuser, either in a form which will allow the mouth of the accused to be open, or in a form which will shut his mouth and prevent his being examined as a witness. The Legislature has intervened to some extent, and has given accused persons and their wives, in certain cases, the right to give evidence, particulary in regard to sexual cases. Before I conclude I will give your

Lordships a list of the exceptional cases in which the Legislature has enabled persons to be examined, and I cannot conceive anyone being content with such a system of law, and one so utterly incongruous as the present law of evidence. A great many treatises have been written upon the subject, and, as far as I know, in later years there is hardly a person who has adhered to the view that the old illogical principle of Common Law should be maintained. Conspicuously, a distinguished member of the Bench, Sir James Stephen, wrote a treatise on the subject not very long ago, referring to his experience of cases in which prisoners can be examined. He described it as undoubtedly a most successful experiment, and one which ought to be carried further. The notion that by so doing we might gradually fall into the Continental method of examining prisoners was, as far as his opinion is concerned, an entire delusion. His opinion was that prisoners were cross-examined rather too little than too much, and that the same tenderness which the law has always fixed towards accused persons would continue to be observed with regard to everybody charged criminally who was capable of being examined as a witness. In 1885 a very serious departure from the then state of the law was made not only as applicable to the particular offences treated by that Statute, but referring back to Statutes passed 25 years before, with reference to a certain class of crime, I believe one reason why it is almost impossible to appreciate the great difficulty existing in the administration of the law in this respect is the nature of the cases. The Statute to which I have referred deals with a class of topics which is not a desirable subject of public discussion, and, therefore, people have avoided talking of them. I mean offences against women and children. The result, however, is that, while the right of a person charged to be called as a witness has been extended to a certain number and class of cases, it is denied in a great number of cases in which justice essentially demands it. If a person is accused of the gravest offence against a woman's chastity, he has now, by the operation of the Act of 1885, to which I have referred, the right to be called as a witness. By the 20th section of that Act the right to be called as a witness applies to a considerable number of crimes which it is unnecessary to specify, but which may be comprised under the general description of sexual offences. The result of the present system is that in respect of a great number of them you have the absurd anomaly to which I referred in the first instance. In a case in which the gravest offence is imputed the accused might be called and examined as a witness, but if he is charged with an assault —with an intent to commit that offence— he cannot be called. It would, I think, be difficult for anybody to suggest the sense or reason for such a distinction. But it does not rest there. There is a variety of other offences in respect to which a similar anomaly exists, of a distinction being made between an offence being committed and its not being attended by the most serious consequences. For instance, under the Explosives Acts, if a person is accused of having explosives in his possession, he can be called as a witness; he is made a competent witness, and can be examined accordingly. But supposing that in consequence of the improper guarding of those explosives somebody is killed, and the person who had charge of them is indicted for manslaughter, that person cannot be examined. So that whether he has the right to be examined as a witness or not may depend upon what is in one sense an accident —whether or not he is found with the explosives in his possession before they have gone off, or whether they have gone off and killed somebody while he had them in his possession. In the same way as regards equipping ships and sending them to sea in an unseaworthy condition. That is a specific offence for which a person may be indicted, and upon the indictment he would be entitled to be called as a witness. But if, in the same circumstances, somebody lost his life by the commission of the offence, and the person committing it was charged with manslaughter, he could not be called as a witness, and would not be competent to give evidence. I might multiply cases of the kind to almost any extent; and when it is borne in mind that, according to the system of administering criminal justice in this country, any person may prosecute in the name of the Queen, and

that it may, therefore, practically be in the hands of an accuser whether the person accused shall be examined as a witness or not in a variety of cases, it must be apparent that such a system of law ought not to be permitted to continue. I have thought it right to bring this matter before your Lordships at greater length than I should otherwise have done, because my attention has been lately called to one or two examples of cases in which the law does not allow the accused to be examined—that result depending upon the form of the indictment—and in which it would be the feeling of every right-thinking man, supposing that, as possibly may be the case, the charge is false, that the accused should be allowed to go into the witness-box and give his own explanation of his conduct subject, of course, to cross-examination. A case in point, to the particulars of which I need not refer at this moment, occurred recently where a false charge was made; and it was one of those cases in which the only thing that could console the person accused under the charge brought against him was the fact that he was able to go into the box and give his explanation to the jury. Notwithstanding that four persons gave testimony against him, he was thus able to establish his innocence of the charge, which if it had been established, would not only have subjected him to heavy punishment, but would for ever afterwards have ostracised him from society; and the question whether or not he was capable of being examined depended upon the form of the indictment. That charge might have been made under other circumstances which would have prevented his being examined as a witness and establishing his innocence, as he did to the satisfaction of the Judge and jury by whom he was acquitted in spite of the evidence given by the four accusers who presented themselves against him. As I have said, whether a man can be called as a witness or not in his own behalf depends often on the particular form of the indictment; and if the charge I have referred to had been made under those particular circumstances, the accused could not have been examined. That was a case which makes one almost tremble to think that he is living in a country where such accusations may be made, and where the man against whom they are made may be denied the ordinary reasonable means of answering them, because at the option of the prosecutor the charge may be so framed (and if framed as an indictment for conspiracy the right would not have been applicable in this case) as to deprive the accused of the right of giving evidence. I have consulted many eminent and experienced legal men on this subject, and all of them have spoken strongly in condemnation of the existing state of the law and in favour of an alteration. Among other persons with whom I have communicated I have been in correspondence with my friend Mr. Poland, whose great experience and the value of whose opinion in such matters your Lordships will readily appreciate; and he writes to me in the most earnest way advocating a change in the law, which he says is absolutely and imperatively demanded at the present time, for this among other reasons: that Judges now have to do what they had not to do formerly, that is, to explain to juries at Assizes that no prejudice should be entertained against an accused because he might not have been called as a witness, because his not having been examined was simply the result of the mode in which the indictment was drawn. Is that a reasonable condition for the law to be in? I cannot help thinking that the existing state of things works the most grievous injustice in many cases, and I am very anxious that your Lordships should give an opportunity to the other House to pass a Bill dealing with a crying and serious evil. I have, therefore, thought it right to re-introduce a Bill on the subject which was introduced before by my noble Friend Lord Bramwell, the evil being one which I think requires to be dealt with as early as possible. Under these circumstances, I ask your Lordships to read this Bill a second time.

Moved, "That the Bill be now read 2ª."

*LORD DENMAN: My Lords, this Bill is the counterpart of a measure which passed your Lordships' House without much consideration. It appears to me that the old law shutting out interested witnesses from the temptation to perjure themselves was far better in principle than any of the innovations which we have seen attempted. My noble and

learned predecessor wrote an article in the *Edinburgh Review*, in which he advised that persons accused of forgery should be allowed to give evidence on oath in civil causes. Certainly the temptation to deny handwriting is so very great that I think it is clear in the late Parnell case, for instance, the person accused, if he had not been corroborated by some very extraordinary evidence, would not have been believed. Under the old law, if a man was sued for debt, he was allowed to swear he was not indebted. The temptations to commit perjury are very great. In the County Courts there is an idea that a great deal of perjury is committed. I do not know as a certainty that it is so; but in France, before the *Juge de paix*, the parties to a case are all examined, and a gentleman connected with the counsel to the Embassy at Paris told me that the opinion of the cleverest men there is in accordance with the old Common Law practice in this country, under which, if a plaintiff in a case was not called, he was nonsuited. I will refer to a case which happened a few years ago. Patrick O'Donnell, the executioner of Carey, wished to swear that Carey fired the first shot. At that time the Judges had decided that no statement of a prisoner's evidence should be made public; but, fortunately, my learned Brother admitted the statement for so much as it was worth. I wrote asking him whether, if Patrick O'Donnell had sworn to the truth of his statement, he would have escaped punishment, and he replied that the expression of intention, "I will shoot him," had been proved against the accused, and that was considered a proof of *malice prepense*. I wrote also to Sir Charles Russell asking him whether he thought that O'Donnell's swearing to the truth of his statement would have saved his life, and he replied that he did not think it would. This Bill, in my opinion, only multiplies temptations to perjury. Why should you tempt an unfortunate man to commit perjury as well as the crime of which he is accused? If his explanation or defence be true, it will be corroborated by witnesses; if it be untrue, it is of no value, and it had much better not be supplemented by perjury. I believe these innovations are all contrary to common sense, and that the change proposed in this Bill is a departure from those principles of prudence which have caused our law to be so respected as it is. I may further remark that in that article in the *Edinburgh Review* which I have mentioned, it was suggested that a wife should never be examined because she is always so much under the control of her husband, who could not himself be trusted to give evidence. I am one of those who oppose a Bill at every stage if I am against it. Formerly we could oppose Bills by proxy, and a great deal of useless discussion was avoided. I do not wish to go back to old cases, but there have been instances in which I have opposed Second Readings without a single supporter. I was requested by the Earl of Derby on one occasion to attend on Third Reading; and after Lord Malmesbury had moved the rejection of a Bill for 28 years, we threw out the measure. I denounce this Bill as most unconstitutional and un-English, and as long as I live I will do my utmost to prevent its passing. I move that the Bill be read a second time this day 10 months.

Amendment moved, to leave out ("now"), and add at the end of the Motion ("this day 10 months.")—(*The Lord Denman.*)

LORD HERSCHELL: I need not now trouble your Lordships at any length, because I have on more than one previous occasion indicated that my views are favourable to such a change in the law as this Bill proposes to introduce. I have never concealed from myself that there are dangers in the change; but, at the same time, it is impossible to shut one's eyes to the fact that the existing law, which prohibits an accused person from giving evidence, has been from time to time eaten into by one Statute after another; and I think it is a very significant fact that almost all the Acts creating new offences have provided that an accused person and his wife shall be allowed to give evidence. It is, I think, impossible to deny that that fact indicates a change in public opinion on the subject; and I do not know that there is any instance in which that has been done where any regret has been subsequently expressed, or any evidence has been brought forward to show that the

change has worked ill or created any prejudice. I can myself bear testimony as regards one Act to which my noble and learned Friend on the Woolsack has referred, namely, the Explosives Act. On one occasion I conducted a prosecution for an offence under the provisions of that Act. Two persons were charged, and they expressed their desire to give evidence. I could not help regarding that as a somewhat crucial test, because, as it happened, each of the prisoners in his evidence reflected to some extent upon the other. Their respective defences were not by any means united, indeed they were to some extent inconsistent, and in some respects disadvantageous to one another; and yet, after hearing their evidence, I came to the conclusion that it was better for both of them they had given it. In the result, they were most properly, as I think, acquitted, and to that acquittal I think the power of giving evidence by the prisoners themselves may have contributed. It is impossible for oneself not to be impressed with such an illustration as that. No doubt there is a feeling of danger that a change of sentiment at the Bench or Bar might lead to undue pressure on accused persons through this power of giving evidence; but I have confidence that the same spirit of extreme fairness which I am quite sure ought to be shown in the trials of all accused persons, and which now animates the Bench and Bar, will continue to animate them in the future, and that the possibility of danger which I recognise will thus be avoided and mischief prevented. One great element of strength in the case for this Bill consists in the fact alluded to by the Lord Chancellor, that practically for the same offence a prisoner may or may not give evidence, according to the form which the indictment against him takes. Nobody can, I am sure, for a moment stand up and suggest that that is a satisfactory condition of the law, and that in itself constitutes a strong argument for the Bill. It is not creditable to us that the law should exist in that condition. I do not advocate it; but I think it would be better, if it were thought advisable, to make some distinct exceptions from the power given to accused persons to tender their evidence rather than that they should only have the power to give it or not, according to the form of the indictment. Under these circumstances, I heartily support the proposal of my noble and learned Friend. I have no doubt he will propose that the Bill should go to the Standing Committee, in order that its details may be considered, and to see whether it is desirable in any way to alter or amend it.

Lord ESHER: My Lords, I will only venture to say that I am not prepared to oppose the Second Reading of this Bill; but as I look upon the proposed alteration with considerable alarm, I hope that in the Grand Committee, if it is to go to the Grand Committee, safeguards against the dangers which I foresee may be added to it.

Lord COLERIDGE: I need not trouble your Lordships with many observations, but I should like, holding the office I do, to say why I support this Bill. I support it with the greatest pleasure. To some extent I share the feeling of my noble and learned Friend opposite (Lord Esher), but this is one of the cases in which, it seems to me, there is really no good ground for opposing the Bill, and for this reason: that the old method of treating criminal cases has been considerably altered. I quite understand the difficulty. Formerly criminal trials used to be conducted on a principle entirely different from that followed in the trial of civil cases. They were more like arguments between party and party, as far as might be, in which the prosecution was not to act as a hostile party to the prisoner, but rather as a sort of Minister of Justice, and was obliged, where the prisoner could not be heard, to make out a case "beyond all reasonable doubt," as the phrase is, and to show that he was guilty of the offence with which he was charged. But I cannot help feeling—it is impossible, I think, to help feeling—that the old view of the administration of the law has, step by step, been done away with. I am old enough to remember the time when prisoner's counsel would not be heard except in cases of high treason. It was not in all cases that counsel for a prisoner could be heard, and that must sometimes, of course, have led to great injustice being done. That which is the rule at present could not be done in the way of defending a prisoner, except by ingenious half-speeches, which led to

very unsatisfactory results. The Prisoners' Counsel Bill was passed when I was a young man, and I can remember the prophesies with regard to it, and the suggestions which were made as to the danger of allowing counsel for prisoners to be heard, and the anticipated certainty that criminal trials would become mere struggles between advocates instead of being a calm judicial investigation into the guilt or innocence of the parties accused. It is impossible to say that, to some extent, that has not been found to be true. It is true that in such cases prosecuting counsel do now, in reply, speak with a force and energy, and with a partisanship against prisoners which formerly, when there were no speeches by counsel for prisoners, they were not in the habit of doing. Still, one cannot doubt that, on the whole, the Prisoners' Counsel Bill has been a most useful measure, and that justice is more easily done than it was when no statement on behalf of a prisoner could be made. So in civil cases, too, the examination of interested parties was unknown, though the examination of parties in criminal cases was, under particular circumstances, permitted. I will take the class of cases which my noble and learned Friend has alluded to, going to the very life and soul of the matter, in which, if they were tried in a Criminal Court, the parties would not have been allowed to be heard. It was held, and very rightly, that under the words of certain Acts of Parliament, a person accused could always be heard. I do not pretend to any special amount of experience in these things, but I had experience enough when I was at the Bar to know that unless one had had the power of calling one's client, and explaining the circumstances through his mouth the consequences would have been most serious to him, and in many cases directly the reverse of what happened. Again and again it has occurred in the course of my experience that clergymen have been triumphantly acquitted of serious accusations going to their character which, if they had not been able to be examined, would most undoubtedly have had a different result. As my noble and learned Friend on the Woolsack has stated quite truly, there are anomalies existing in the law in this respect which it is quite impossible for any man to justify. Take the cases which he has put of committing a rape and attempting to commit a rape. How can anyone say it is reasonable that a man should be allowed to give evidence upon an accusation against him for a graver offence, and not in a case of the commission of the lesser offence? It is said that an accused ought not to be allowed to himself give evidence in a case of the graver crime, but in these things there is no going back. It is out of the question to think of bringing back the law to the state in which it was 30 or 40 years ago, even if it were desirable to do so; and that being so, considering that in certain cases accused persons are at present allowed by virtue of Acts of Parliament to give evidence on their own behalf, where, on the whole, it does not work badly, it seems to me to be impossible to refuse a Second Reading to a Bill which merely carries into other and more important matters principles which your Lordships have established over and over again in matters of less importance.

LORD MORRIS: My Lords, I will entreat your Lordships' indulgence for a few moments, because I think, as few persons have had longer experience than I have had in criminal trials, it would be right, entertaining the opinion I do, that I should express my entire acquiescence in the Bill which has been introduced by the noble and learned Lord on the Woolsack. The object, I presume, of all criminal trials is to ascertain the guilt or innocence of the prisoner—to ascertain the truth; and I believe, from my own long experience, that that object has been very much impeded in many cases by the fact of the prisoner not being entitled to depose and give evidence on his own behalf if he so wished. The Bill of my noble and learned Friend does not compel him to do so: he gets the option. I admit, however, that it will remove a great part of the stock-in-trade of counsel defending, who are always impressing on juries that "the prisoner's mouth is closed, and that he cannot be examined as a witness for himself;" but that if the prisoner could have been called, he would have been able to give an explanation which would have cleared up the whole matter. This Bill will, I admit, prevent that being

urged in defence, but is it not very desirable that it should be removed? Is it not a very proper solution of the difficulty to remove what is, in many cases, a great obstacle in ascertaining the guilt or innocence of the prisoner, so far as my experience in Ireland has gone. I can only express my entire concurrence in the Bill as introduced by the noble and learned Lord, and state my opinion that it will have that effect whatever its other values may be, an opinion derived from long experience, I may say almost second to none, in Ireland.

*THE LORD CHANCELLOR OF IRELAND: My Lords, having regard to the position I hold in reference to the administration of the law in Ireland, I do not wish the Debate to close upon the Second Reading of this Bill without expressing my entire concurrence in the resolution which your Lordships are, I hope, about to arrive at. As far as I am aware, the Judges in Ireland hold the views which my noble and learned Friend who has just addressed your Lordships—and no one is entitled to speak on the subject with more authority—has expressed. It is obviously an anomaly and an absurdity that in a trial the object of which is to find out the guilt or innocence of the person who is accused at the Bar, the one person alone, who is not at liberty to give evidence, should be that person on whose evidence it might depend whether or not the jury were to be satisfied as to his guilt or innocence. That is an anomaly and an absurdity so patent that if there was not a long course of practice the other way one would be astounded to find that it could be defended in any shape or form, or that any suggestion could be made for its being maintained; and every Amendment that has taken place in our law modifying that anomaly by permitting in certain cases persons charged with certain offences to give evidence in their own behalf, renders the survival of that anomaly in the case of other prisoners more indefensible. I therefore welcome the introduction of this Bill by the noble and learned Lord on the Woolsack, and I am very pleased to think it is likely to go down at an early date to the other House, accredited, I hope, by the unanimous approval of your Lordships.

THE LORD CHANCELLOR: My Lords, I certainly have no reason to complain of the reception which this Bill has received at your Lordships' hands, and I have but few observations to make in reply to what has been said. Really the only objection to the Bill is that it will be likely to produce perjury. I do not undervalue the objection; but the same objection might be urged against the examination of all parties who have any pecuniary interest in the result of a trial. One would have thought that a man's father or mother, or brother, may well have deeper interests than even the accused person himself. It is dependent upon the accident of the form of procedure in many cases, and is not a result of the crime itself, that the prisoner is disqualified from being called as a witness, and I confess I do not think that is very logical. But I should like to say why the objection seems to me unreasonable. At present the mode in which a new trial is obtained, or an attempt made to give another account of a criminal transaction, is very clumsy, that is, by a very different form of procedure, an indictment for perjury against the witnesses upon whose evidence a prisoner has been convicted. I could not help being reminded forcibly of that by the speech of the Lord Chief Justice. I once was counsel for a clergyman who had previously been convicted of an offence on the evidence of two girls. The clergyman turned the tables upon them by indicting them for perjury. They were convicted, and the clergyman received a pardon, and was relieved of the sentence which he had received on their testimony. That is certainly not a course which one would like to have to follow. The question of perjury was raised, but it could only be done in the form I have mentioned. I cannot help recalling that during the last two or three weeks I have seen wholesale accusations of perjury against a number of witnesses who had been called to give evidence against a particular person. That person has now obtained processes against the witnesses on whose testimony he was convicted. The case will be tried in due course, and I hope justice will be done in the result, whatever the result may be. But that is an illustration of the importance of such an

alteration of the law as your Lordships are invited to make to-night. If, instead of it being necessary to bring a charge of perjury against the witnesses after conviction, as in the case of the clergyman I have mentioned, the accused had himself been capable of giving evidence at his own trial, there would have been no necessity for the second performance. I cannot help thinking it is a most unsatisfactory state of things that in that way the trial of the same question, the guilt or innocence of an accused person, should be referred to two different juries with the possibility of having conflicting verdicts in consequence of that particular form of procedure. Then, again, on the second occasion the mouths of the witnesses who were capable of being examined on the first trial would be shut when the tables were turned, so that two different juries would have practically to try the two sets of persons in the absence in each case of the proper evidence in the form of explanations by themselves. As I have said, this is a question which seems to me not to admit of argument upon the present state of the law. I should like to add, what I forgot to mention before, that the late Mr. Russell Gurney, one of the ablest criminal Judges who ever sat on the Bench, was strongly in favour of the change in the law proposed by the present Bill, stating that, in his opinion, it was only justice that persons accused should be capable of giving evidence. With regard to the observation which was made by my noble and learned Friend Lord Herschell, I should be very glad that the Bill should be referred to the Grand Committee, and that any alterations or provisions should be introduced into it which the Master of the Rolls thought necessary to guard against the inconveniences which he feared might arise from this proposed change in the law. I will only say, however, that, so far as I am aware, none of the inconveniences hinted at have arisen in those cases, arising out of some 30 or 40 offences, where prisoners are allowed to give evidence, although no such precautions or safeguards are imposed, and Judges, in those cases where the accused persons have been capable of giving evidence, have not been impressed unfavourably with the result of the power thus given. Under those circumstances, I will now ask your Lordships to read this Bill a second time.

Lord Halsbury

On Question, whether ("now") shall stand part of the Motion, resolved in the affirmative.

Bill read 2ª accordingly, and committed to a Committee of the Whole House on Thursday next.

BRINE PUMPING (COMPENSATION FOR SUBSIDENCE) BILL.

Brought from the Commons; read 1ª, and to be printed.—(No. 131.)

PHYSICAL EDUCATION IN ELEMENTARY SCHOOLS BILL [H.L.]—(No. 30.)

Order for the Second Reading on Thursday, the 18th of June next, discharged.

House adjourned at twenty minutes past Five o'clock, to Thursday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Tuesday, 26th May, 1891.

The House met at Two of the clock.

THE NEWFOUNDLAND FISHERIES.

MR. STAVELEY HILL (Staffordshire, Kingswinford) presented a Petition on behalf of the Legislative Council and Assembly of Newfoundland, praying that they may be heard by one of their delegation at the Bar of the House against the Newfoundland Fisheries Bill, standing for Second Reading on Thursday next.

The Petition having been read at the Table,

MR. STAVELEY HILL said: I beg to give notice, that on the Order for the Second Reading of the Bill being called, I shall move that the delegation be heard by one of their Members at the Bar.

QUESTIONS.

THE RUBY MINES COMPANY.

DR. CAMERON (Glasgow, College): I beg to ask the Under Secretary of State for India whether his attention has

been called to the statement contained in a Rangoon telegram published in yesterday's *Times* to the effect that

"The application by the Ruby Mines Company for a remission of the rent of the mines is now under the consideration of the Government of India;"

whether any change in the position of the mines has occurred since his statement on the 21st of July last, that

"The Secretary of State was not aware of any ground on which the rent of the Ruby Mines could justly be remitted;"

and whether he will undertake that no remission of this portion of the Indian Revenue shall be made without previous intimation to this House?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): In reply to the first paragraph of the question of the hon. Member, I have to say that the attention of the Secretary of State has been called to the statement contained in a Rangoon telegram which appeared in yesterday's *Times*, to the effect that an application by the Ruby Mines Company for a remission of the rent of the mines is now under the consideration of the Government of India. In answer to the second paragraph, I have to say that no change in the position of the mines has occurred since the statement of the Secretary of State on the 21st of July last, that he was not aware of any ground on which the rent of the Ruby Mines could justly be remitted. The Secretary of State in reply to the third paragraph is not prepared to give a pledge that no remission of this portion of the Indian Revenue will be made without previous intimation to Parliament.

THE OATHS ACT.

MR. HUNTER (Aberdeen, N.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the refusal by Mr. Wyatt, Coroner, at an inquest held at St. Thomas's Hospital on 2nd April, to allow Mr. F. Robinson to make an affirmation instead of taking an oath, Mr. Robinson having declared that he was a person without religious belief within the meaning of "The Oaths Act, 1889"; and whether some steps can be taken to secure the observance of the Law by Coroners or other Judicial officers?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the Coroner that the facts are not as stated, but that on the day in question a person summoned on the Jury refused to be sworn, but did not ask to affirm, and as his objection did not appear to have been made upon conscientious grounds he was told to sit back. The Coroner is quite aware of the provisions of the Oaths Act, 1888, which are frequently applied in his Court.

SOUTH AUSTRALIA.

MR. WATT (Glasgow, Camlachie): I beg to ask the Under Secretary of State for the Colonies whether advices have been received that the Governor of South Australia has reached Adelaide from his trans-continental trip, *viâ* Palmerston; and whether, having regard to the important bearing of the visit, with reference to the development of the interior of the Colony of South Australia, Her Majesty's Government have any objection to lay the Governor's Report, when received, upon the Table?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): In the absence of my right hon. Friend I have been requested to answer this question. The Governor has reported his return to Adelaide on the 23rd instant: all well; and when a Report from is received, the Secretary of State will consider whether it can be presented to Parliament.

ROYAL COLLEGE OF SCIENCE.

SIR H. ROSCOE (Manchester, S.): I beg to ask the Secretary to the Treasury whether, in view of the proposed allotment of land at South Kensington for the erection of a National Gallery of British Art, any, and if so what, steps have been taken respecting the necessary rebuilding of the temporary physical laboratory and of the other rooms used by the mining and other students of the Royal College of Science situated on the site of the proposed gallery; whether any, and if so what, sums of money are set down in the Estimates for this rebuilding; and whether plans showing

the proposed changes will be laid upon the Table of this House?

MR. ELLIOT LEES (Oldham) also put a question on the same subject.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The only building occupied by the Royal College of Science that will be affected by the allotment of land referred to at South Kensington, is the temporary physical laboratory. It will be possible to take down the laboratory, and re-erect it during the Autumn Vacation. As the general scheme was not in contemplation when the Estimates were framed, no sum appears in the Estimates for this Service. As this is the only change, plans do not seem necessary.

UNESTABLISHED POSTMEN.

MR. FURNESS (Hartlepool): I beg to ask the Postmaster General whether his attention has been called to the case of the unestablished postmen who have no Sunday relief such as the established postmen have; and whether he will take into consideration the desirability of placing the unestablished postmen on the same footing as the established postmen so far as Sunday relief and stripes are concerned?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): I am not aware of any case in which postmen who are fully employed, whether established or unestablished, have not received Sunday relief. If the hon. Member knows, of any case, however, and will give me the particulars I will make inquiry on the subject. Good conduct stripes are only conferred upon postmen belonging to the establishment.

THE REPORTED ATTACK ON MAJOR JOHNSTON'S EXPEDITION.

DR. CAMERON: I had intended to ask the Under Secretary of State for Foreign Affairs whether he had received any information regarding the reported attack on Major Johnston's expedition by a Portuguese force on the Pungwé River; whether he has yet received details of the reported outrage by the Portuguese on the same river on Sir John Willoughby's expedition; whether he has yet received details regarding the seizure of the British steamer *Countess of Carnarvon* by the Portuguese on the Limpopo River; and whether he proposes to lay Papers on all or any of these occurrences before the House? In the absence of the right hon. Gentleman I will defer the question until Thursday.

INFECTIOUS DISEASE (NOTIFICATION) ACT.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the President of the Local Government Board whether any "Local Authority," in pursuance of the power conferred by Section 7 of "The Infectious Disease (Notification) Act, 1889," has passed an order applying the Act within their district to influenza; and whether he is advised that influenza is an "infectious disease" within the meaning of the Act?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): No Local Authority has passed an order extending the Infectious Disease (Notification) Act to influenza. I am advised that influenza is an infectious disease, and therefore within the terms of the Act.

VOLUNTEER EQUIPMENT GRANTS.

LORD HENRY BRUCE (Wilts, Chippenham): I beg to ask the Secretary of State for War whether, having regard to the terms of Army Order dated 17th November, 1890, and to the fact that many Volunteer Battalions were on the 31st October, 1890, below their maximum establishment, the equipment grant prescribed by the Army Order will be paid for those Volunteers who are in excess of the numbers enrolled on the 31st October, 1890, although such members are below the maximum establishment?

THE FINANCIAL SECRETARY FOR WAR (Mr. BRODRICK, Surrey, Guildford): The grant referred to will be extended to Volunteers within the establishment enrolled up to March 31st, 1891.

"FOSTER *v.* KELLAND."

MR. MORTON (Peterborough): I beg to ask the Attorney General whether his attention has been directed to the case of "Foster *v.* Kelland," where Mr. Justice Hawkins said a more unreasonable claim had never been made, and described it

as frivolous and vexatious, without calling for the defence; and whether he would advise an alteration in the law, so that in such cases the costs as between solicitor and client of the successful litigator should be paid by the losing one?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): In answer to the hon. Member's question, I have to say that my attention has not been called to the case to which he refers. The question of the desirability of making the unsuccessful party in an action pay full costs has often received consideration, but I am not at present prepared to recommend an alteration of the law in this respect.

"HANSARD *v.* KELLAND."

MR. MORTON: I beg to ask the Attorney General whether his attention has been called to the case "Hansard *v.* Kelland," "a disputed note having been negotiated the day before it was due;" and whether in such cases he would recommend an alteration in the law, so that the whole merits of the question might be gone into, even as between a third party?

SIR R. WEBSTER: I have been unable to find any report or particulars of the case referred to. If the hon. Member can furnish me with particulars, I shall be pleased to answer his question.

PUBLIC PROSECUTIONS.

MR. PICKERSGILL: I beg to ask the Attorney General whether the Director of Public Prosecutions was requested by a Metropolitan Magistrate to take up the prosecution of William Edward Parker, on a charge of fraud practised on upwards of 300 poor persons in different parts of London, and whether he declined to do so, alleging as his reason that it was a case for the County Court; whether Parker has since been convicted at the London Sessions, and sentenced to 10 months' imprisonment; and whether the case received due consideration from the Director of Public Prosecutions when it was submitted to him, and upon what grounds did he base his decision in regard to it?

SIR R. WEBSTER: In reply to the hon. Member, I am informed by the Director of Prosecutions that he was not requested to take up the prosecution of W. E. Parker, and did not decline to do so. The Magistrate recommended that legal aid should be given to the prosecution, and legal aid was given by the Director to the police sergeant and to the authorities, in accordance with the regulations. Parker was convicted at the London Sessions and sentenced to 10 months' imprisonment. The case did receive due consideration and assistance from the Director.

RECOVERY OF TITHES FROM QUAKERS.

MR. MORTON: I beg to ask the Attorney General whether it was lawful, by Section 84 of 6 and 7 Will. 4, c. 71 (an Act for the Commutation of Tithes, 1836), to make distress, where necessary, in respect of any lands in the possession of any person of the persuasion of the people called Quakers, not only upon the goods, chattels, and effects of such person on the premises, but elsewhere, wherever they might be found; and whether this section, dealing exceptionally with Quakers, has been repealed or modified by the Tithe Recovery Act of the present Session?

SIR R. WEBSTER: In answer to the hon. Member's question, I have to say that Section 84 of the Tithe Act, 1836, is expressly repealed by the 11th section of the Tithe Act of the present Session.

THE ROSCREA UNION.

MR. T. M. HEALY (Longford, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Local Government Board of Ireland, of which he is Chairman, had set aside the election of Mr. Alfred J. Ryall to the office of Poor Law Guardian for the Cullenwaine electoral division of the Roscrea Union on the grounds that his nomination was invalid; whether Mr. Thomas Corcoran had not claimed to be duly elected to the office as being the only properly nominated candidate; whether the Board refused to receive Mr. Corcoran as guardian for the said division, and on what grounds have they decided to order a new election; and whether, considering Mr. Corcoran's claim to be the only properly nominated candidate, the Board will reconsider its decision regarding his claims to the office of guardian, and not put the ratepayers to the expense of a new election?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The facts are as stated in the first three paragraphs of the question. There is no Statutory Authority which would admit of the unsuccessful candidate's claim to the office being received, and the matter can only be dealt with by a new election which will be held in due course.

LAND DEPARTMENT (IRELAND) BILL.

MR. SEXTON (Belfast, W.): I beg to ask the Chancellor of the Exchequer whether the Land Department (Ireland) Bill will be proceeded with this Session; and when the Report of the Land Purchase (Ireland) Bill will be taken?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Unless business proceeds at a much more rapid rate during the relatively short portion of the Session which still remains for legislative business than it has during the last few months, the Government see no hope of being able to proceed with the measure referred to. With regard to the second part of the question, I am not able to say more than that the report stage of the Land Purchase Bill will not be taken earlier than on Monday next. The Government Amendments are now ready to be put on the Paper, and hon. Members will have, at all events, nearly a week for the consideration of them.

LAHINCH, COUNTY CLARE.

MR. JORDAN (Clare, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a protection sea wall at the village of Lahinch, County Clare, and several houses have been swept away; whether he has had any memorial or resolutions from the people of the district in reference to the rebuilding of the wall; whether the Lord Lieutenant of Ireland, in his recent visit to the West of Ireland, saw the wreck, and if the inhabitants solicited his help in the matter; and whether, under all the circumstances, the poverty of the district, and the nature and purpose of the work, he will grant the aid sought, to rebuild the wall and repair the damage, during the summer months?

MR. A. J. BALFOUR: The facts appear to be substantially as stated in the first three paragraphs of the question, except that I have no information as to the alleged destruction of houses. No exceptional distress or necessity for relief works exists in the district, and I am unable to hold out any hope that the work is one which should be undertaken by the Government as part of the scheme for the relief of distress. Perhaps the hon. Member will refer to the Treasury as representing the Board of Works.

IRISH ESTATES OF THE LONDON COMPANIES.

MR. LEA (Londonderry, S.): I beg to give notice that early next Session I will call attention to the Report of the Select Committee on the London Companies Irish Estates, and move a Resolution.

MR. SEXTON: May I ask whether the Government propose to take any action on the Report?

MR. A. J. BALFOUR: I regret to say that I have not yet read it.

PUBLIC BUSINESS AND THE NEWFOUNDLAND BILL.

SIR W. HARCOURT (Derby): May I ask what business will be taken on Thursday? We have heard a Petition read from the Newfoundland delegates, asking to be heard at the Bar on Thursday against the Second Reading of the Fisheries Bill. That is a prayer which I presume the Government will grant, as it did in the House of Lords. Under these circumstances it is clear, I suppose, that the Newfoundland Bill cannot be taken on Thursday, for the arguments of the delegates would have to be taken into consideration by the Government. I therefore wish to ask what course the Government intend to pursue on Thursday? Unless there is some pressing reason, I would suggest that the Factory and Workshops Bill should be postponed during the absence of the right hon. Gentleman the Member for Sheffield (Mr. Mundella).

SIR G. CAMPBELL (Kirkcaldy, &c.): Is the Bill now before the Newfoundland Legislature the Bill agreed upon by Her Majesty's Government, or one brought in as a separate and independent Bill by the Newfoundland Legislature on their own account?

MR. GOSCHEN: With reference to the last question, the Bill brought in by the Newfoundland Legislature differs in one important particular from the Bill which the Government would be able to accept—namely, with regard to the time for which they proposed to legislate. As I understand, the Newfoundland Legislature proposed to legislate for one year, and Her Majesty's Government do not think that such a limitation can possibly be accepted, having regard to the engagements which we have towards France. With regard to the question of the right hon. Gentleman the Member for Derby, I need not say that this House and the Government will assent to the Petition of the delegates to be heard at the Bar. I have not considered the question as to whether the House will immediately adjourn the Debate so as to take the matter into consideration. I believe that is the course which was adopted in "another place," and I am disposed to think that it might be convenient to do so here. In that case we shall proceed with the Second Reading on Friday. On Thursday we should take the Factories and Workshops Bill; we should regret the absence of the right hon. Gentleman the Member for Sheffield, who takes a deep interest in the matter, but at this period of the Session we could not risk postponing the Bill when there is a day otherwise convenient for its discussion. We should not be able to find another day for the consideration of the Bill until after the Report stage of the Irish Land Purchase Bill. Therefore I am afraid we must adhere to our Resolution to proceed on Thursday with the Factory and Workshops Bill if the House agrees to postpone the consideration of the Newfoundland Bill.

MR. H. H. FOWLER (Wolverhampton, E.): May I ask whether the right hon. Gentleman cannot, after what passed last night, take Supply on Thursday? The Opposition have shown every consideration for the Treasury Bench, and I think we are entitled to some reciprocity in the way of some consideration for the right hon. Gentleman the Member for the Brightside Division.

MR. GOSCHEN: Full notice has been given by the Government that this Bill would be taken on Thursday. I have always stated from the beginning that it would be, and a remonstrance was made at the time by certain Members from Lancashire. I would gladly meet the views of the right hon. Gentleman if I could, but I am afraid I cannot change the Order of Public Business.

EAST INDIA (MANIPUR).

Address for—

"Copies of Translation of the Conditions entered into by Rajah Gumbheer Singh, of Manipur, dated the 18th day of April, 1833;"

"And, of Correspondence between the Government of India and the Court of Directors in 1852 as to the relations between Manipur and the Government of India."—(*Mr. Donald Crawford.*)

Return presented; to lie upon the Table, and to be printed. [No. 258.]

MOTIONS.

ADJOURNMENT (DERBY DAY).

SIR G. CAMPBELL (Kirkcaldy, &c.): Upon a point of order, I wish to ask you, Sir, whether it will be regular for me to object to precedence being given at the commencement of Public Business to a private Member's Motion which is not given to other Motions by private Members?

*MR. SPEAKER: The hon. Member would not be in order in so objecting. This is a Motion to which, although made by a private Member, precedence is always given in the same way as it is given to Motions by Ministers at the commencement of Public Business.

*LORD ELCHO (Ipswich): I beg to move—"That this House, at its rising, do adjourn to Thursday, the 28th of May." Although we have lately returned from the holidays, instead of the holiday which the season of the year and our devotion to our duties might have entitled us to expect, we have been given but a miserable apology for a holiday. We have already sat for an abnormally long time. I am told that we are to adjourn late in July, but during the eight years I have been in Parliament not a single Session has passed without that promise being made, although I have never known one in which it has been fulfilled. I may appeal to the House on the ground that we have lately passed through Committee the great Bill of the Session, and that we are all entitled to a holiday in consideration of our exertions. I may

further appeal to the House on the ground that our families would see us return to Parliament with greater confidence if the First Commissioner of Works had one day more in which to massacre the microbes of influenza, and to gratuitously advertise some strange-sounding disinfectant. But I make no appeal on these grounds. I appeal to the House solely on the ground that to-morrow is Derby Day, and on the ground that it has always been a time-honoured custom of the House to adjourn over that day. I saw it stated in the papers last year that I was a frequenter of race-courses, that I had backed many winners, and had won large fortunes on the Turf. I only beg to say now that none of these "facts" are true. I regret to say that I have not realised large fortunes on the Turf, and that, although I moved the Derby Adjournment last year, I am one of the few Members of the House who has never seen the Derby run, nor have I the remotest intention of going to the Derby to-morrow. My motives are, therefore, disinterested, and may compare favourably with those of some hon. Members, who, although they were conspicuous by their opposition to the Motion for Adjournment last year, were, I heard with surprise not unmingled with pain, equally conspicuous by their presence on the race course. I do not propose to recapitulate any of the old arguments that are annually brought out, because I take it that they are familiar to the House; but I do wish to say a few words to one class of hon. Members opposite, who think that racing is an evil that ought to be checked, and I wish to show that if they are sincere in their belief it is their bounden duty to support the Motion. No one can have failed to observe that the supply of grievances at the present moment is lamentably deficient when compared with the number of gentlemen who are anxious to redress them. I wish to point out to hon. Members a method by which they may at the same time cultivate a grievance, satisfy their conscience, and vote for this Motion. There are upon the London County Council members who look with great horror on music halls—almost with as much horror as the hon. Baronet (Sir Wilfrid Lawson) and his friends look upon the Derby. What did those members of the County Council do? Did they avoid the objects of their horror? Did they keep themselves aloof from them? No; they did exactly the opposite. Armed with gratuitous passes from unsuspecting managers, fired with single-minded zeal, they went night after night to these music halls. Where the audience was least select they went most frequently; where the performance was most doubtful in character they stayed the longest; and then, when they had piled up mass upon mass of evidence, and when the dreadful day of licensing had come they showed how they could temper justice with mercy, and announced their intention of continuing to tread the straight path of self-sacrifice they had marked out for themselves. I do not ask any hon. Members opposite to make the same self-sacrifice in the cause they have at heart. I do not ask any hon. Members to go to every race meeting in the Racing Calendar; but I do ask hon. Members opposite to go to one Derby in order that they may see for themselves how things really are. If they go to the Derby to-morrow, and are agreeably surprised, if, perchance, they find that the Derby is not a mere carnival of vice, if they spend their time profitably, they will return to town none the worse for having had one prejudice removed. But if they find their worst fears realised, if the picture painted by the hon. Baronet pales before the horrible reality, what a position will be theirs! They can then speak from the vantage ground of personal knowledge, and from the platform, perhaps, of bitter personal experience. And if they do not become rich by backing the winner, they can at least become famous by backing a Bill for the reformation of the Derby. Parliament may be asked to take over the authority of the Jockey Club, and to abolish that institution as ruthlessly as the right hon. Gentleman the President of the Local Government Board abolished the Metropolitan Board of Works. Parliament may pass laws regulating the Derby. Inspectors may be appointed to inquire into the economy of racing stables, to report as to trials, and to disseminate information of general utility to the racing public. There is

no limit to the possibilities that would be open to hon. Members if they would only support my Motion and go to the Derby once. And now I may say one word to the hon. Baronet himself. I am quite sure everybody must admire the sincerity with which he urges his convictions; but does the hon. Baronet think he has done all he might do to check the evil which he believes to be undermining the morals of the country? Year by year he objects to the adjournment, but he does nothing more. I need only remind the House of what Lord Charles Beresford did when he was a Member of this House. He tried to show that we had no Navy, and every year he invited Members of the House to Portsmouth and entertained them there to a champagne luncheon. And the hon. Baronet the Member for Hythe (Sir E. Watkin), when he has a scheme in view, when he has had a commercial scheme dear to his own heart, of possible advantage to his shareholders, but of improbable benefit to the community, entertains the whole House of Commons in a railway cutting or a submarine tunnel. Why, then, if the hon. Baronet is anxious to bring home to the House the horrors of the Derby, does he not invite the whole House of Commons down to the Derby? Why does not the hon. Baronet take the House of Commons down by road, and entertain them to a gingerbeer luncheon on the course? The vans which are such a conspicuous ornament in Hyde Park demonstrations would be available for the purpose, and the spectacle of 600 hon. Members, headed by the hon. Baronet, going in procession to denounce the Derby, would have a far-reaching effect. If some of the 600 who went to curse remained to bless, the responsibility for their backsliding would not rest on the hon. Baronet. Then, will not the hon. Baronet recognise that he would best consult his own interests, not by voting against the Motion, but by acting as a teller in favour of the Motion? There is a Bill on the paper for to-morrow in which the hon. Baronet is interested; and I am sorry that my Motion should interfere with the discussion of that Bill. But I would remind the hon. Baronet that every Wednesday throughout the year there has been a Liquor Bill down for discussion, and probably there will be a liquor Bill on the Order Book of the House of Commons on every Wednesday to come; so that there will be numerous opportunities for the hon. Baronet to speak and vote. But the Derby Adjournment only comes once a year. It is too much to hope that the Motion will pass without discussion. I am quite sure that the House will have a few words from the hon. Member for Peterborough (Mr. Morton). The hon. Member is ever ready to catch the eye of the Speaker, and the House will wait with bated breath to hear his speech on the question of the Derby. Unfortunately the Derby Adjournment is probably the only question before Parliament on which the hon. Member for Peterborough is still in a position to deliver a maiden oration. Since last year I have received gratifying assurances that hon. Members who have opposed the Motion before will now support it. Earlier in the Session I noticed with surprise and joy that no less eminent a person than the right hon. Gentleman the Member for the Bridgeton Division (Sir G. Trevelyan) had apparently changed his intentions on the matter, because the right hon. Gentleman strongly advised the promoters of some Bill in which he was interested not to put it down for the Derby Day. The right hon. Gentleman, with his usual readiness to recognise the changed spirit of the times, has come to the conclusion that the game of opposition to the Derby is up; and, therefore, I hope that to-morrow I shall see the right hon. Gentleman finding health and salvation on the question of winners at the Epsom course. It has been the custom, in moving the Motion for the Derby Adjournment, to give the House a "tip." In the improbable event of giving the House the right horse, I should, however, earn less of gratitude than I would earn of ill-will were I to give the wrong horse. Therefore, I will simply recommend the Motion to the House, and express the sincere hope that it will be passed in accordance with time-honoured precedent. I hope that the House of Commons, which is now in its old age, will show that it has not outlived all sympathy with and understanding of the wishes and popular pursuits of its constituents; and that a large majority will declare that the present House is not

more degenerate than others in times gone by, who have always been ready to pay a tribute to the great national holiday at Epsom.

Motion made, and Question proposed, "That this House, at its rising, do adjourn till Thursday, 28th May."—(*Lord Elcho.*)

(3.0.) MAJOR RASCH (Essex, S.E.): I beg to second the Motion. Hon. Members have various reasons for voting with the noble Lord. Some hon. Members, like the hon. Member for Northampton (Mr. Labouchere), wish to go down to Epsom to inspect the summer solstice, and the moment the Motion is agreed to, they put on white hats and sling field glasses around them. Others wish to spend a happy day among their constituents in opening museums and laying foundation-stones; and others, again, would be glad to escape the thrilling excitement of the Land Bill Committee and Scotch Estimates. I am perfectly certain that nine out of ten of the hon. Members who vote for the Motion will do so, as in the case of the London County Council, referred to by the noble Lord, from perfectly virtuous motives.

SIR WILFRID LAWSON (Cumberland, Cockermouth): I remember that once before when I made a speech in opposition to the Motion for the Derby Adjournment, when I took up the papers next morning the first one I opened commenced thus:—"Sir Wilfrid Lawson made the mistake of dealing with the Adjournment for the Derby too seriously," while the next I opened commenced, "Sir Wilfrid Lawson made the mistake of dealing with the question too lightly." That shows that the question is a very difficult one to deal with; but I think every hon. Member will agree with me when I say that I have never heard anything said on behalf of the Motion except pleasant airy nothings and good-humoured personalities. We have just had a clever speech from the noble Lord, which we have all heard with very great pleasure; but, still, I think the question is rather more important than the noble Lord would have us believe, and I can only regard it in one way. The House of Commons is a National Assembly, and ought not to neglect the business of the nation except for something of national importance. If there are a considerable minority opposed to the Derby Adjournment, the occasion is not one on which the House should adjourn. I do not think that racing is a national affair, although it is sometimes called so; the House does not legislate for races, it has no control over them, and it does not subsidise them. The fact is, the House is asked to adjourn in honour of a great gambling festival. If there were no horse-racing, there would be no gambling, and I do not think it is wise for this House to extend its wholesale patronage to a gambling institution. To do so is inconsistent, because the House has spent much time for generations past in legislating to prevent betting, and from the time of William III. it has been declared to be unlawful, deceiving, and contributing very much to the encouragement of idleness and to the impoverishment of the people. Do hon. Members ever read the reports of the Diocesan Conferences which are held up and down the country? At these meetings the evils of betting are dwelt on more than anywhere else. In a recent letter to the Town Council of Chester, the Bishop of Chester speaks of the races there as an institution which has an evil effect on the moral and social life of the town, and that he could not contemplate them without dismay. Even under the most favourable circumstances, their demoralising influence was direct and deep. What is the use of having Bishops and Deans if their teachings are ignored? There has been a Motion for a Commission to inquire into the prevalence of betting and gambling, and the Home Secretary described the betting agent as following "a dirty and shabby trade," adding that he had a Bill in a box ready to deal with the matter. I presume that he will bring it out some day. For whose advantage are we to adjourn? Only two classes of people will be benefited by the adjournment—those who go to the Derby to make money and those who go for pleasure. The House surely ought not to patronise the profit-seeking and betting class, who in a recent Review article on betting were described as "the most unprincipled and abandoned set of thieves and harpies that ever disgraced civilised society." Will anyone who understands

racing say that this class of people has improved since that article was written? I see the Minister of Agriculture on the front Treasury Bench. The right hon. Gentleman is a distinguished sportsman, and I would like to see him get up and tell the House his real, honest opinion of these racing men. If we are to adjourn for the benefit of people who make a profit out of racing it would be discreditable, and if we are to adjourn for the sake of pleasure-seekers it would be rather senseless. Any day would do for pleasure-seekers. My hon. Friend the Member for Northampton, who supported the Motion for Adjournment last year, has become wiser, and will not do so this time. But what did the hon. Member say? "The last thing people trouble about at Epsom is the Derby. I have been there frequently, and I really believe I have never seen the Derby run in my life." Therefore, I do not see why we should adjourn in the interests of pleasure-seekers on the Derby day more than on any other day. The noble Lord appears to think that I have used too strong language respecting the Derby. As a matter of fact, I never use strong language myself; I always quote it. In 1888 the *Daily News*—almost as good an authority as *Truth*—said, speaking of Epsom and the Derby—

> "There are few places on the face of the globe where more sin and wickedness are perpetrated in the course of a week, and this infamous scene is not to be witnessed on the same scale anywhere else."

Yet this House, this Christian assembly, is called upon to adjourn in honour of an event that can be described in language like that. It is monstrous. As to the holiday argument, it is simply cant. Why, we have only just returned from our holiday. I do not object to holidays, and if the House wants a holiday by all means let it take it, but let it do so at a proper time and in a proper way. I object to a holiday on this particular day, because by choosing this occasion we would seem to give our sanction to gambling. We shall have plenty of opportunities for taking holidays. The Emperor William is soon coming over; we can adjourn then, go into the streets, and wave our hats. There is the Eton and Harrow match; let us adjourn then; or we may take advantage of the great temperance festival at the Crystal Palace Then there is the Queen's birthday, and the Chancellor of the Exchequer's birthday. If the Members of this House are really as devoted to sport as one hon. Member has suggested, let them organise athletic sport amongst themselves on the terrace. I trust that my remarks will be received on this occasion as the hon. Member for Waterford (Mr. R. Power) wished his to be received when he moved the adjournment some years ago, and concluded his speech in the words of a celebrated divine. "Remember, my brethren, this is not a sermon I have been preaching to you; it is only the truth I have been telling you." The decision of this matter is said to be in the hands of the House. The First Lord of the Treasury said the other day that it is always left to the House; but everybody knows that the Government can carry the adjournment or prevent it. The decision is undoubtedly in their hands, and I hold them responsible for it. If the Chancellor of the Exchequer were to hold up his little finger the adjournment would be negatived. [*Cries of* "No!"] Yes, it would; and therefore I hold the Government responsible. Last year the Government talked about treating the Motion as an open question, but what happened? Why, 22 members of the Government voted for the Motion. That was their "open question." The Government constantly talk about obstruction. Nothing could be more pathetic than the appeal which the Chancellor of the Exchequer made the other night in regard to obstruction. Well, if they support this Motion on this occasion they will show that their diatribes against obstruction are a sham. The Welsh Liquor Veto Bill stands first on Wednesday's Paper, and I believe that the Representatives of Wales unanimously desire that the measure should pass. The principle of the Bill has been agreed to, and we have only now to settle some of its details. The Bill, it is believed, will remove much misery and wretchedness, and it seems to me that it would be very wrong to shelve it in order that some amongst our number may selfishly gratify our tastes for amusement.

*(3.10.) MR. W. BOWEN ROWLANDS (Cardiganshire): Apart from the general arguments against this monstrous

proposition, in which I fully concur, there is a special reason why I think I am entitled to claim the indulgence of the House in opposing the Motion, namely, that the Bill which stands first for Committee to-morrow is the Welsh Liquor Bill, which I had the honour of introducing in this House. I have no desire to say anything now as to the details of that measure, but it is a Bill of very great importance. We have been told that Liquor Bills are frequently put down for Wednesday; but as far as I know it has never occurred before that a Liquor Bill which has passed a Second Reading has been first on the Paper for Committee on a Wednesday. If the noble Lord objects to Bills of this nature being put down for Wednesdays let him unite with us in passing them, so that the Order Book may be no longer encumbered with them. If the Motion is agreed to, the chance of passing the Welsh Liquor Bill this Session will be lost, and next Session the supporters of the measure can scarcely hope to be as fortunate in obtaining opportunities of advancing it as they have been now, at any rate it is a great risk. The great majority of my fellow-countrymen believe that upon the success of this measure depends largely the happiness of the people of Wales. I therefore appeal to the Government to support those who are opposed to the Motion. They are specially bound to do so, I think; when pressed to make the Whitsuntide holiday longer, they told us that the condition of Public Business was such that it was impossible to accede to the demand, and yet we are asked to sacrifice a day in order that hon. Members may attend a horse race. However elevating and refining the surroundings of a race course may be, it will hardly be contended that they have anything like an equal claim for consideration with an attempt to deal with one of the gravest evils which can possibly affect the well-being of the world.

(3.18.) SIR W. HARCOURT (Derby): I wish, in a very few words to explain the reasons why I shall vote against the Motion, the best recommendation of which is the extremely clever and amusing speech made by the noble Lord on this as on a former occasion. I do not altogether agree with the noble Lord that persons who vote against the Motion are precluded from going to the Derby. But the point of view from which I regard the question is that the Business of the House is not in such a state that it is desirable that we should take a holiday. I have seen former leaders of the House, on an occasion like this, take up the Order Book and say, "I do not see any important Orders on the Order Book for to-morrow." That cannot be said now. Is there any justification for making this Motion? What is to prevent a great number of Members from going to the Derby? There is one Member who certainly often goes to it, the Minister of Agriculture, and special leave might be given to him now, as it is part of his duty to do what he can to improve the breed of horses. But why should not other Members who are disposed to attend to the Business of the House be allowed to come and deal with the business which is fixed for to-morrow? It cannot be said that the adjournment of the House for the Derby is like the laws of the Medes and Persians, which could not be altered. I agree with the hon. Baronet the Member for the Cockermouth Division (Sir W. Lawson) that this is a matter which is altogether in the hands of the Government. It is a sort of traditional rule that this Motion about the Derby should, contrary to the usual practice, be moved by a private Member. That is a remarkable circumstance connected with the Motion. I look at the Treasury Bench, and I see the Chancellor of the Exchequer is not there. [The Chancellor of the Exchequer was on the Treasury Bench, though not in his usual place.] Oh, I see that the right hon. Gentleman has resigned his seat to the Minister of Agriculture. I thought the right hon. Gentleman had gone away, perhaps, to meet the Leader of the House, in order to discuss the state of business. It is said that the Government leaves this an open question; but every one knows that it rests entirely with the Government whether the House of Commons will sit to-morrow or not; the responsibility lies on them, and they cannot escape it. It concerns the Government a good deal, because, if they are going to take away one of the few Wednesdays which belong to private Members, what will be their position when they come to ask for

all the private Members' days, especially now that they are going to take away the opportunity of discussing one of the most important Bills before the House? The special circumstances of the Session, and the condition in which the House finds itself, ought to weigh with the Government. I am not saying anything against the Derby or against anybody who goes to it; but I do not think it expedient, in the present circumstances, that this Motion should be carried. I was almost going to say that it would be an outrageous thing in the present state of Public Business, and it reduces all the declamation, of which the Chancellor of the Exchequer is so fond, about obstruction to a farce and an hyprocrisy. If the Government are going to let the House adjourn over to-morrow, they will be responsible.

*(3.24.) THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The right hon. Gentleman has been so kind in according to me permission to attend the Derby to-morrow that I can hardly refrain from expressing my gratitude to him. But there is this difficulty in the matter. Although to-morrow is not a Government day, and although I am not now speaking on behalf of the Government, but as an individual Member, it might be held by some people, if the House were to meet to-morrow, that it was the duty of the Minister of Agriculture to attend, and a conflict of duties might arise which would be painful to me, and which I am sure the right hon. Gentleman would desire to spare me. I gather from what the right hon. Gentleman has said that he intends, under any circumstances, himself to go to the Derby to-morrow. [Sir W. HARCOURT: After the dissolution.] "After the dissolution"; but there is no question of a dissolution before to-morrow; and, unless rumour belies him, it is the intention of the right hon. Gentleman himself to be present at Epsom to-morrow, in company with other distinguished Members of the Front Opposition Bench. If that is so, I can assure him that I shall be delighted to use all the influence which I may possess to obtain for him a seat on the stand of the Jockey Club—a seat of vantage from which he could watch the course of the animal which he may fancy most in the race. But, Mr Speaker, I hope, upon wider and on more general grounds, the House will have no hesitation in supporting the Resolution of my noble Friend. This is a Motion which has been acceded to over and over again for years by the House of Commons, and I believe it is thoroughly in accordance with the views of Englishmen in all parts of the country. Sir, I do not wish to detain the House, or to interfere with other business. But if this were a fitting occasion to do so, I could make out an unanswerable case in five minutes to show to the House that in supporting this Motion we are supporting a national object, which is attended by great national advantages, in which the improvement of the breed of horses in Great Britain is directly concerned. And I sincerely trust that the House will not be guided upon this occasion, if he will forgive me for saying so, by the somewhat Puritanical and water-drinking instincts of the Member for Cockermouth, but that it will support by a considerable majority the Motion of my noble Friend.

*(3.30.) MR. MORTON (Peterborough): As the noble Lord who brought forward the Motion has pointed out a defect in my Parliamentary career, I hasten to put myself right in the matter referred to. I shall oppose the Motion for Adjournment as strongly as I can. The noble Lord has stated that he himself does not go to the Derby. [*Cries of* "Darby," not "Derby!"] You may call it the "Darby" if you like, but I call it a sink of iniquity. If the noble Lord does not want to go to the Derby, why does he move the adjournment of the House? It appears to me that the noble Lord is asking us to make fools of ourselves, and to adjourn the House not to go to the Derby, but to go I know not where. It occurred to me that what might have given rise to this Motion of his was the saying of the celebrated Dr. Paley: "The man that is not a fool sometimes is one always." Now, Sir, I am anxious to know what the Government have to say to this Resolution. The right hon. Gentleman (Mr. Chaplin) who has just spoken says he has spoken only as a private Member of the House and not as a Member of the Government; but I want to know what the Government intend to do in

reply to this Resolution, because it is their duty to give us some guidance in this matter. The House refused to give a day for the consideration of the Women's Suffrage Bill, and yet we are told we are to have a day for what is admitted to be the worst of all evils—a great race. The Government do not propose to take to-morrow for their own business, which is admitted to be very much behind, and it has occurred to me that the real reason why the Government support this Resolution is that they want to defeat the measure set down for to-morrow—a Bill dealing with the drink question, which has already passed a Second Reading in this House. I now charge the Government that they are supporting this Motion not because they want to go to the Derby, but because they are anxious to defeat the Temperance Bill. The question has been put to-day whether some of us have attended the Derby or not. I admit that I have never been there, but 26 years ago I went to the Oaks. I went there because I was told that it was not so bad as the Derby, but I found it so bad that I have never ventured to go to the Derby or any other race since, and I do not want to go. Now, Sir, it is admitted by almost everybody that horse racing, and everything connected with horse racing, is so disgraceful that there is practically nothing worse in this world—I mean more particularly the betting, gambling, and almost every other vice I could mention. We have been told that racing is of use in maintaining and improving the breed of horses, but that has been denied on good authority over and over again. ["No, no!"] I do not mean authorities connected with betting and gambling, but authorities on agricultural affairs, and they say that racing is of no use for such a purpose. Why, Sir, is racing upheld in this country? I say it is simply for the sake of the betting, the gambling, and the other vices attached to it. If we were asked to adjourn the House for the purpose of hearing Mr. Spurgeon preach at the Tabernacle we should, I suppose, refuse to do so. We might even refuse to go and hear General Booth, but we are asked seriously to day to adjourn the House for the purpose of attending backing up and promoting what is admitted to be one of the worst evils of this country. [*Laughter.*] This is not a matter for laughter. It is more serious than that, because it relates to a great social evil which I ask the House to assist in putting a stop to. The Speaker has told us to-day that this is a Motion which, on the ground of an old custom, he has allowed a precedence to a private Member which is not allowed to private Members in other matters. But I say that it is high time to put an end to this precedent of making Motions with reference to betting and gambling matters. The Bill set down for to-morrow relates to one of the most important questions the country has to consider, and the right hon. Gentleman the Chancellor of the Exchequer and the Tory Government admitted this last year by offering to pledge the finances of the country to the extent of something like £200,000,000 in order to get rid of the evils of intemperance. By all means let the two or three hon. Members who desire to go to the Derby attend that race meeting, but do not prevent us who are willing to stay here in the endeavour to transact the business of the country from considering a measure of so much importance as the Welsh Liquor Bill.

(3.37.) The House divided:—Ayes 137; Noes 109.—(Div. List, No. 251.)

VALUATION OF LANDS (SCOTLAND) BILL.

On Motion of Mr. Edmund Robertson, Bill to amend the Valuation of Lands (Scotland) Acts, ordered to be brought in by Mr. Edmund Robertson, Mr. Campbell-Bannerman, Dr. Cameron, Mr. Buchanan, and Mr. Hunter.

Bill presented, and read first time. [Bill 343.]

ALLOTMENTS RATING EXEMPTION BILL.

On Motion of Mr. Cust, Bill to amend the Laws relating to the Rating of Allotments for sanitary purposes, ordered to be brought in by Mr. Cust, Colonel Eyre, and Mr. Samuel Hoare.

Bill presented, and read first time. [Bill 344.]

ORDERS OF THE DAY.

CUSTOMS AND INLAND REVENUE BILL.—(No. 297.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

(3.50.) SIR W. HARCOURT (Derby): I suppose we may now proceed with the less important subject of the taxation of the people and the financial arrangements of the country. Of course, I cannot suppose that matters of this kind will command that amount of attention which is given to the more important question we have been for some time discussing; but this is a legitimate opportunity of discussing generally the financial arrangements of the year, and upon this Bill, though there is no great novelty in it, the remark arises that in a period of great prosperity and very large revenue we have a Bill for continuing the taxation of the country exactly as it was before. There is no relief to be given to the taxpayer in the course of the present year, and as to the cause of this, which is enlarged expenditure, I will say something presently. But as regards the Bill itself and our financial arrangements, there is something special attaching to the financial arrangements of the present year. Everybody knows that the Chancellor of the Exchequer is a very able financier, but he aspires also to the character of extreme originality. He has set aside all the former practices which have been thought necessary to protect the financial system of this country, and the safeguards which have been set up for many generations have disappeared, and remarkably so in the arrangements for the present year. There is an old saying, "*Nemo repentè fuit turpissimus*," and the Chancellor of the Exchequer has begun his practice, by degrees, in departing from the old rule that the Expenditure of the year should be covered by the Revenue of the year. On the 4th April, 1889, speaking on the first Imperial Defence Bill, the right hon. Gentleman made this declaration—

> "I shall always adhere to the principle that the needs of the year shall be met out of the Revenue of the year."

Since that pledge was given the needs of the year have never been met out of the Revenue of the year, but in each successive year a larger sum has been borrowed than in the year preceding. Last year the amount borrowed was, I think, £696,000, and, according to the Papers laid before us, the Chancellor of the Exchequer proposes this year to borrow nearly £3,000,000. The Chancellor of the Exchequer used to be a rigid financier, and we remember very well the declaration which he made on this side of the House that he would not draw blank cheques in favour of Lord Salisbury. But now the whole time of the Chancellor of the Exchequer is taken up in expecting us to draw blank cheques for the Government of Lord Salisbury, and never has that been the case more remarkably than in the Budget Bill we are now asked to read a second time. He derives a good deal of his illustrations from cheques, and I was reminded the other day of a speech of the right hon. Gentleman on the subject of free education, in which he said, speaking in 1885, there are some men who have become extremely rich, and think that by their cheque books they can solve all possible difficulties. Well, the Chancellor of the Exchequer has become exceedingly rich; he has an abundant Revenue. He goes on to say, if affection is to be bought, they bring forward their cheque book; if hatred is to be bought off—cheque book; if sorrow is to be assuaged—cheque book.

> "Now I want to know"—

the right hon. Gentleman is here speaking of free education—

> "from the Conservative Party do they think when they have got the national cheque in their hands that they can, by cheques and simply in that way, buy off hatred or secure affection?"

That is taken from a speech delivered to the constituency the right hon. Gentleman was then canvassing in Scotland. Now, Sir, the fundamental principle of English finance with reference to taxation and expenditure is that the House of Commons, before voting a tax, should know what is going to be done and how that tax is going to be applied. We have been told that free education is to absorb £1,000,000 or more of the taxation we are asked to vote to-night. How do we know how that money is going to be applied? I have said that the right hon. Gentleman has violated every known principle of English finance. First of all, he has struck at the principle that the Expenditure of the year should be covered by the Revenue of the year, and now he strikes at the principle that taxes are not to be voted until the Commons are informed how they are to be spent. When we are asked to vote money for the Army and

Navy we are always told how many men are required, what is to be their pay, and, generally, how the money is to be expended. The same observation applies to the case of the Civil Service, and all the other Departments of the State. In each case the most accurate Estimates are laid before the House. Where are the estimates for the expenditure that will be required under this Bill? No account is given of how much it is to be, or what principle it is to go upon; and, in point of fact, the right hon. Gentleman is asking us to vote the Second Reading of this Bill without affording us any information as to how a sum amounting to £1,000,000 or more is going to be spent. That, I say, is a reversal of all the principles of English finance; and I repeat that this rigid financier has broken down every rule by which hitherto the House of Commons has controlled the Expenditure of the country. And, Sir, what is the excuse? Why, even in the case of Supplementary Estimates, particulars are given before the money is allowed to be applied. Do not let it be said that this is sprung upon the Government by surprise; they have had the opportunity of laying the matter before the country; they put this question into the Queen's Speech last November, and have had abundance of time to settle their plan and determine all its details before coming to the House of Commons. Why have they not given us these details before asking us to vote the money? The only answer they seem able to give us is that the First Lord of the Treasury happens to be ill. That is a testimonial, a compliment, to the supremacy of the First Lord of the Treasury, which is doubtless well deserved; but it is a remarkable thing that that Cabinet which put free education into the Queen's Speech in November should not be able in May to tell us what is their plan of free education. The whole current of Public Business was stopped because the colleagues of Lord Chatham could not do anything unless Lord Chatham was present. I have a great respect for the Lord Warden of the Cinque Ports, but he seems to me to occupy very much the position in the Government and in the Cabinet as Lord Chatham occupied. It certainly is an extraordinary state of things that the House should be asked to vote this money without being told anything about it. That is a position which the House of Commons never occupied before. It is a position which, so far as the House of Commons—which is supposed to administer the taxation of the people—is concerned, is humiliating and contemptible, and, in my opinion, we are bound to protest against it. We are asked to buy the Chancellor of the Exchequer's pig in a poke. The right hon. Gentleman says, "Give me the money. Open your mouth and shut your eyes and wait until the First Lord of the Treasury comes back, when I will tell you what you will get." That is the position on the Second Reading of the Customs and Inland Revenue Bill, which is supposed to settle the taxation for the year. I say such a position has never been taken up by any Government or any Finance Minister before in the House of Commons. The Government are raising £1,000,000 or more under this Bill, and they do not tell the House how it is to be spent. They do not take the House of Commons into their confidence. They do not show us the methods in which they are going to apply this money. They are preparing for themselves a situation in which, upon no known principle of financial administration, any Government has ever been placed before. The proper course for the House to take is to remonstrate against finance of that character. I do not wish, in the present state of Public Business, to refuse the Second Reading of the Bill, but I think that before the Bill leaves us the House of Commons ought to express an opinion that no such measure ought to be passed until we have a full account of the manner in which the money is to be spent. If nobody else does it on the Third Reading of the Bill, I will raise that question, so as, at all events, to give the House an opportunity of protesting in favour of the ancient principle of controlling the Expenditure of the country. So much for the manner in which the right hon. Gentleman has dealt with the question of education. There is something more I desire to say as illustrating the financial methods of the Chancellor of the Exchequer with reference to the manner in which the House is kept informed of its expendi-

ture and financial proceedings. On a former occasion I raised an objection to the new-fangled system of "carrying over." I pointed out that it has all the vices of foreign finance, and I showed (although it was not necessary for me to do more than quote the Chancellor of the Exchequer himself) the mischief that necessarily arises from a system of that character. You do not know what you are going to spend. You do not know what you are going to borrow; you are absolutely in the dark as to the financial condition of the country. It is not only the public that do not know anything about the Expenditure of the country; the Government do not know. I do not suppose the Government would intentionally lay before the House incorrect information, but there is a Paper before the House which is the most discreditable financial document that was ever placed on the Table of the House of Commons by a responsible Government. That is the Paper which shows the difference between the figures in the Return moved for by my right hon. Friend the Member for Bradford (Mr. Shaw Lefevre) and the facts as they exist. The right hon. Gentleman, with less than his usual courtesy, accused me the other night of being a bad accountant; but it was not my figures that were wrong. The figures that were wrong were those of the Treasury and the Chancellor of the Exchequer. They may regard me as a simpleton for assuming that the document signed by the Secretary to the Treasury and laid on the Table of the House of Commons was reliable, representing the true state of things. I confess that my former knowledge of the Treasury induced me to take that view of the question. I accepted the figures presented in that document and I argued upon them. In the month of June last the right hon. Gentleman the Member for Bradford moved for a Return of the Estimate of the expenditure on the Army and Navy and the provision made for it, and a Return was made by the Treasury on June 4, which showed that the estimated expenditure was £38,000,000, and that £3,442,000 was to be borrowed by the Government. On that the Opposition assumed that the Government knew what they were about, and had returned to Parliament the actual state of things as they were. But, then, the Chancellor of the Exchequer turns round and says, "What idiots you were; you were utterly wrong." Why were we wrong? Because these figures placed on the Table of the House by the Government were wrong, not by thousands or hundreds of thousands, but by millions.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): No, no.

SIR W. HARCOURT: Well, we will see whether the figures of the Government were wrong or not. First of all, the Government estimated in the month of June that they would spend £5,279,000 upon shipbuilding. As a fact, they spent £3,280,000. They were wrong by £2,000,000 out of £5,000,000. Is it conceivable that a Department can be conducted in such a manner? What an extraordinary state of things! What wonderful contracts these must be! What reason have we to suppose that the Chancellor of the Exchequer will be more right this year? The Government lay a Paper on the Table which shows that these great preparations for which they took such an enormous credit for the Navy must be carried out with expedition; and then, having entered into the contracts, they fall short of their estimated expenditure by £2,000,000.

MR. GOSCHEN: The ships have not been delivered.

SIR W. HARCOURT: That may be. It will be an interesting thing to learn what can be the character of those contracts upon which barely half the money which it was estimated would be spent was actually expended. Then there is this further remarkable fact about the Return I have referred to—that there are two items estimated by the Admiralty on which nothing at all has been spent. There is Dockyard Shipbuilding, £128,728, and not one farthing spent upon it; and there is an item, Purchase of Armour Plates and Stores in Advance, £688,000, and not one farthing spent upon that. Here are these gentlemen, who take such enormous credit to themselves for hurrying on this work, telling the House of Commons in June that they are going to spend £688,000 on that item, and yet they do not spend one single farthing. That shows the difference between the

estimates of the Admiralty and their performances. The consequence is that, having stated to the House of Commons in the month of June that their expenditure would be £38,000,000, their expenditure in reality was £36,572,000. What sort of information is that to give to the House of Commons? The Chancellor of the Exchequer says in an airy way, "You never can tell exactly in a matter of contract." If the difference had been a difference of £100,000, I should have said nothing; but when it comes to £2,000,000, no one can place any confidence at all in the way business is conducted. I have here dealt with the expenditure account. I now come to the receipt account, which is more extraordinary still. The estimate the Government made of the provision they would be able to make for the Army and Navy was £38,321,000. It really was £36,572,000—again a difference of nearly £2,000,000. Then they told Parliament that they were going to borrow £3,365,000; as a fact, they borrowed £696,000. So when it was said, "You are borrowing £3,365,000," the Government turned round and said, "Oh, no, we are only borrowing £696,000." But how was the House of Commons to know that in the face of the Return laid upon the Table of the House in June last? How did they deal with this money? It is most remarkable. As I have said, they adopted the system of "carrying over"; and when once that system is introduced you can never know where you are, as it leads to confusion. Let us see how this Paper demonstrates that. Now mark this: The Paper which I hold in my hand was delivered in June, 1890, and the unexpended balances mentioned in it relate to the year which expired in the previous April. The Admiralty, therefore, ought to have known how much they had expended and how much was left over, for two months had elapsed since the close of the financial year when this Paper was presented. The Admiralty published this "unexpended balance for the Shipbuilding Votes for the Navy—£128,000;" but by the corrected Return it appears that the unexpended balance was really £380,000—a difference of over £200,000. So that they were wrong to the extent of about £200,000 in an account that was closed. But that is not all. The Admiralty must have known how much or how little they had paid to their contractors, yet they laid on the Table of the House a statement showing that the unexpended balance for the previous year amounted to £278,000, whereas by the corrected Return it appears that the sum was really £775,000, so that they did not know what their unexpended balances of the previous year were within half a million of money. Now, if that is not an instructive lesson as to the evil results of this system of carrying over, I do not know what can be. The fact is, that the system of finance adopted by the Government throws all their accounts into confusion. They not only mislead themselves, but they mislead the country, and then they turn on us when we comment on the condition of things, and say, "What bad accountants you are." Bad accountants? Rather what bad financiers they are to announce one year an unexpended balance of £278,000, and then to come down to the House next year and cry *peccavi*, and declare that the amount is £775,000. Both their estimates of expenditure and their book-keeping in respect of unexpended balances are not worth the paper on which the figures are printed. That is what I have got to say on their system of book-keeping under this new financial system of "carrying over." I say it is absolutely confusing, absolutely destructive of all sound finance; and if the Committee want proof of it, it is to be found in the Papers I have referred to. Now as to the subject of borrowing. The Chancellor of the Exchequer announced last year that he intended to borrow about £3,000,000 this year. How is he going to borrow the money? I confess I do not attach much importance to Treasury Returns under the existing system—not that the Treasury does not do its best, but because it cannot cope with the confusion brought about in the public accounts by the present system of finance. Whether or not the Chancellor of the Exchequer is going to borrow I know not, but I will assume he is. Is he going to borrow on Treasury bills, and to increase the Unfunded Debt? The right hon. Gentleman has been a great borrower during the past 12 months. His Consols are at 2¾ per cent., but what is the rate he has been bor-

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rowing at on his Treasury bills? I have the figures before me of his Treasury bills since June last. There are none of them under 3 per cent. There are some of them above 4, 4½, and there is one lot at 5. I should say the average is about 3½ per cent.

MR. GOSCHEN: Under that.

SIR W. HARCOURT: Well, about 3½. I venture to say that short bills of three and six months have never been under 3½ per cent. So that the right hon. Gentleman is paying on Treasury bills about 1 per cent. more than he pays on his Funded Debt. And the right hon. Gentleman hardly knows what price he is going to pay. Only a short time ago the right hon. Gentleman went into the market for £2,000,000, and came back with only £50,000 in his pocket. What was the price offered then for his bills? It is not very creditable for a Chancellor of the Exchequer to ask for £2,000,000, and to find that the terms are such that he cannot accept them. That is a thing which happens, no doubt, to less dignified personages, to companies, and even to foreign States, that go into the market to negotiate a loan, but few of us like to see an English Chancellor of the Exchequer placed in such a position. The Chancellor of the Exchequer has, in fact, become a money jobber. He disturbs the markets; for in the critical condition in which the markets are now, it is not a matter of no importance that a man should go into the market and ask for £2,000,000. It is certain to have a very serious effect either for good or evil. The Chancellor of the Exchequer may say that he has been paying off the Funded Debt, but it is a questionable transaction to borrow money at 3½ per cent. in order to pay off a debt at 2¾. Perhaps the Chancellor of the Exchequer will say that, as Consols are down to 95, he can go into the market and buy his own depreciated securities. There is something in that, no doubt. The right hon. Gentleman says I have been unjust to his great conversion scheme. I have no desire to treat the right hon. Gentleman's great conversion scheme unjustly, and am ready to give him every credit for it, but there are two sides to the question. The effect upon Consols has not been altogether for good, and there is no doubt that people do not take Consols as they used to take them. People dislike the very low rate of interest, and the consequence is that a large quantity of Consols have been thrown upon the market. A gentleman of large financial knowledge and experience recently told me that he believed that this throwing of Consols upon the market had stimulated the unwholesome speculation which has done so much mischief. Consols are not absorbed in the way they used to be. The Chancellor of the Exchequer spoke recently of the great diminution which he has effected in the Funded Debt. It is the depreciation of his own Consols which has enabled him to effect that diminution. When his predecessors paid off the Debt Consols stood at 102, whereas now they stand at only 95. However, I do not object to the right hon. Gentleman taking advantage of his own wrong, as it were—the depreciation of his own Consols. I mentioned the failure of the right hon. Gentleman to procure £2,000,000 on Treasury bills. I would now like to ask from what source the money ultimately came? That is a matter on which I think we ought to have some explanation. He wanted £2,000,000, or he would not have gone into the market. I suppose I shall be told that it came from the balances. Now, what are these balances? The principal part of them form what is called the old Sinking Fund, or the surplus of the previous year. Now, the surplus for the previous year ought to be appropriated to the payment of antecedent Debt. I should like to know from the Chancellor of the Exchequer whether he has to any extent, and, if so, to what extent, used the surplus of preceding years? That is a matter on which we ought to have information, because if you are trading upon your past surpluses the provision intended to be made is practically destroyed. Though it may seem to the House rather a complicated matter, it is a matter of supreme consequence in sound finance.

MR. GOSCHEN: Hear, hear.

SIR W. HARCOURT: I am glad to hear the Chancellor of the Exchequer agrees with me. There is another matter to which I must refer—that of the gold coinage. The hon. Gentleman has, on the subject of the coinage, left us too long in

suspense. During the short time I was at the Treasury I went carefully into the matter, and I ascertained that a sum of £700,000 or £800,000 would be required to put the coinage right. In 1889 the Chancellor of the Exchequer promised to lay his proposals before the House on the question of the coinage and the currency. What has become of his proposals? Three years have elapsed, and at this moment we know nothing at all about his views on the coinage or the currency. Is he going to deal with them together or separately? Last year he said that he had set aside £600,000 out of the profits of the Mint for the new coinage. What has become of that £600,000? Where is it? What has become of the money? I will tell you. It has been muddled away. How much has been applied to the coinage? This year, without saying what he has done with the £600,000, the Chancellor of the Exchequer tells us that he is going to spend £400,000 on the coinage. Is that in addition to the £600,000? The right hon. Gentleman said in 1889 that he mixed this question up indissolubly with the question of the currency and of the £1 note, but since that time he has also got mixed up with the question of a new gold reserve. Upon that question, which is one of profound interest and importance, I marvel that the Chancellor of the Exchequer has confined himself to postprandial orations in the provinces and at the Mansion House. He has gone there, and has sounded a note of alarm. The right hon. Gentleman has made every person believe that banking in this country is not in a sound position, that it bears an enormous weight upon an insufficient basis; but he has never brought the question before the House of Commons. An alarmist Chancellor of the Exchequer is a very formidable person; but when he cries "Wolf" and stinking fish, he is bound to come forward with some proposal to remedy the dangerous state of things, and to bring the question to the test of Debate in this House. There are in this House great financial authorities, men intimately cognisant with banking and commerce, who would gladly hear the views of the Chancellor of the Exchequer on this momentous subject. What is the condition of this matter? The Chancellor of the Exchequer says that there is no reserve. He has, to a great extent, laid the blame of that upon the private banks. What do they retort? They say, "We keep our reserves with the Bank of England, and the Bank of England, in order to pay high dividends upon Bank Stock, trade with our reserves and lend them out, and, in point of fact, it is the Bank of England that is responsible." For my own part, I am quite incapable of offering an opinion on the subject; but this I will say—if we are to have alarmist speeches made throughout the country from time to time by the Chancellor of the Exchequer upon these matters which seriously affect the public credit, the matters ought to be discussed in this House. When the Chancellor of the Exchequer flies financial kites in the shape of £1 notes, which are to be represented by a second reserve, he ought to fly them in the House of Commons, and not after dinner in the provinces and elsewhere. If I refer to these matters it is because never in my recollection has the Money Market of this country been in so anxious and feverish a condition as it is at present. It does not want excitements, or alarms, or blisters, such as the speeches to which I have referred. There are persons much better entitled to express an opinion than I am who believe that the disaster of last November has not seen its termination. There was, no doubt, a very dire necessity which led to very extraordinary and unexampled measures on the part of the Bank of England. I do not presume to judge that action, but there is one thing which the House of Commons is entitled to know in relation to the Baring guarantee, and that is, what part Her Majesty's Government were called upon to take, and what part they did take? That is a serious matter, because it is a precedent of a most dangerous sort. If you are to prop up one house in this way, why not others? Some say that the Chancellor of the Exchequer did not interfere boldly enough. The right hon. Gentleman will hear no such criticism from me. The less, in my opinion, the right hon. Gentleman interfered the wiser he was. The habit of the Government—it is a foreign habit—stepping into these private transactions is a most dangerous one. I object to the Chancellor of the Exchequer being so much in the market, but it comes of

what is called the Government Banking Guarantee. I think it is a most pernicious and dangerous precedent, and I hope we shall learn from the Chancellor of the Exchequer that he has taken no such course. But now, coming back to the Bill, which leaves the Income Tax as it was before, and gives no relief to the taxpayer in a time, if not of unexampled, yet of great, prosperity, we have to ask ourselves what is the cause? It is the profuse expenditure of the Government. However much your Revenue has grown, your Expenditure has grown in still greater proportion; and in a year in which your sources of revenue have been abundant, and even superabundant, you stand in this position: you are not only unable to give any relief to the taxpayer, but are actually going to borrow £3,000,000 to pay your way. The Government endeavour to say this is the fault of their predecessors. On May 6th the First Lord of the Admiralty (Lord George Hamilton), whose absence, and the reason of it, we greatly deplore, went to the National Union Dinner and said that Mr. Gladstone, Sir W. Harcourt, and Mr. H. Fowler were influenced by the "Manchester school," and that dangers to the country were likely to ensue. He went on to say—

"When Lord Salisbury came into Office the dockyards were in an unsatisfactory condition, and owing to the perilous state of things Lord Salisbury attempted to embark in large plans of naval construction."

I characterise that statement as absolutely unfounded, and out of the mouth of Lord George Hamilton himself I will prove it to be unfounded. It is the most unjustifiable statement I ever recollect to have been made by a responsible Minister, who ought to know, and must have known, there is not the smallest foundation for it. When the Liberal Government left Office in 1886 I, as Chancellor of the Exchequer, made provision for a larger sum for naval expenditure than had ever been made before. What did this First Lord of the Admiralty, who for electioneering purposes makes statements of this kind, say himself at the Mansion House in November of that year, when he had come into Office? Lord George Hamilton said—

"The number of ships in commission, armoured and unarmoured, exceed the combined force of the three greatest European Powers."

On December 13, 1888, the noble Lord said—

"At no period of our naval policy during a time of peace had there been so steady and continuous an increase as in the last three years, but he did not wish to take credit for having completed this large number of ships, the main credit of which was due to Lord Northbrook."

But deeds as well as words contradict the statement of the First Lord of the Admiralty at the National Union Dinner. When the present Chancellor of the Exchequer brought in his first Budget he stated that the extra charge was due to that which was commonly known as the "naval scare of 1884." He added that—

"In that year the House agreed to an extra expenditure of £3,100,000 on ships, and £1,600,000 on armaments. The Estimates had been increased by that which had been a temporary and, he hoped, an exceptional outlay. At the end of the financial year they would have arrived at a great diminution of the necessary charge which had been made upon the taxpayer owing to these exceptional circumstances."

With such admissions as these is it tolerable that men who call themselves responsible Ministers should make such statements for electioneering purposes, knowing that those statements are absolutely untrue? It is necessary that these things should be shown up, and that men holding the position of the First Lord of the Admiralty should be shamed out of such language as this. This is what the First Lord of the Admiralty said in the House of Lords on July, 1887—

"I have never said that the Navy Estimates could not be reduced, and the Navy Estimates of this year show a reduction of £800,000 as compared with last year. I said in my Memorandum that I was satisfied that for years to come there could be a steady reduction of expenditure and increased efficiency."

That is the statement of the man who at the National Union Dinner in 1891 said that, in consequence of the perilous condition in which we left the country, it was necessary to embark in large plans of naval construction. The statement is an audacious misrepresentation, for which the noble Lord ought to make some apology to the House. It is well-known that Lord Charles Beresford resigned office because you reduced the expenditure in the Navy. Now, it is

this large expenditure which is the real secret of the Government's financial shifts and expedients. What is the course to which this expenditure has driven them? They have set to work, first of all, to mortgage their future revenue in the Suez bonds for five years hence. They will spend the money, and go about saying they have put the country into a state of defence; but they will leave their successors to pay for it. I call this bad finance; and when I look at the excuse made for it in such speeches as that of the First Lord of the Admiralty, I am disposed to call it shabby finance, covered by still shabbier excuses. The time will come when the Government will have to give an account to the nation in this matter, and I am of opinion that when that account is made it will not, at the hands of the nation, receive an approving verdict.

*(4.59.) THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD, Liverpool, Ormskirk): No one can regret more than I do that the First Lord of the Admiralty is not in his place to reply to the comments of the right hon. Gentleman opposite. As I have not read the speech to which reference is made, I am not in a position to reply to the comments of the right hon. Gentleman; but I feel sure that, when the noble Lord is able to be in his place, he will amply justify every word he has uttered. One great difficulty the present Board of Admiralty had when they entered Office was the vast amount of shipbuilding which had been commenced and not completed, representing a value in ships of something like £14,000,000; and, although an addition was made to the Fleet in 1885 by the Northbrook programme, adequate provision was not made in the Estimates for that programme.

SIR W. HARCOURT: Why did you reduce the estimates?

*MR. FORWOOD: In 1886-7 the estimate for the Northbrook programme was exceeded by £544,000, and in 1887-8 by £313,000. But the object I have in rising is to reply to some of the comments of the right hon. Gentleman in the earlier part of his speech. The right hon. Gentleman questioned the bookkeeping and accounts of the Admiralty as rendered to the House. He said that a sum of £2,000,000 had been spent in the year 1890-1 more than was estimated as late as June, 1890; and the right hon. Gentleman based his statement on a Return, moved for by the right hon. Member for Bradford, and laid on the Table of the House in June last. The right hon. Gentleman the Member for Derby has treated that Return in a manner quite foreign to the intentions of the right hon. Gentleman who moved for it. A document was asked for, which should show the estimated Expenditure for the year 1890-1, on the Army and Navy, and the provision to be made for it under certain heads; and although that Return was dated in June, and placed on the Table in print, it undoubtedly had reference solely to the estimates which had been presented to the House in the previous February. I wish the House to bear in mind that these estimates were prepared in the months of November and December, 1889, and contained the figures, practically, for two years. An estimate had to be made of what would be the probable Expenditure of the then current financial year ending on the 31st March, 1890, and, further, an estimate 15 months in advance, of the probable Expenditure of the succeeding financial year or 31st March, 1891. There was undoubtedly an immense difficulty in preparing estimates of the earnings on contract work, because the amount of work which would be done by contractors in any year is always more or less problematical. The Return in question refers to the work on 60 or 70 contracts, and the ordinary difficulties of estimate are increased by unusual conditions. During the last two years the labour market has been very much disturbed; much of the work has been done on the Clyde, where the railway strike for some time stopped all progress, and the severe weather in the winter of the present year has also, to a great extent, hindered shipbuilding operations. The figures over which the Admiralty had direct control, namely, the work done in the Government Dockyards, the Return anticipated an expenditure on work in these dockyards during the year 1890-91 of £2,890,000, and the sum actually expended was £2,736,000. Of the difference of £153,000 no less than £140,000 was money short earned by contractors for engines, so that, as far as the estimates over which the Admiralty have

direct control are concerned, there was only a difference of £13,000 or £14,000 in the total estimate of nearly £3,000,000. With regard to the contract work, the estimate prepared in December, 1889, anticipated that contractors would earn in 1890-91, on the new shipbuilding programme, £3,595,000. In point of fact, they earned only £2,600,000, owing to the circumstances which I have enumerated. The figures in the Estimates were given by the contractors and revised by experienced officers at the Admiralty. Then the right hon. Gentleman the Member for Derby has asked a question with reference to the £688,000 entered on the Return for the purchase of armour plates. This matter has already been explained by the First Lord of the Admiralty. At the time the estimate was made it was thought that the reading of the National Defence Act would allow the sum mentioned to be borrowed; but it was subsequently decided that the Act would not allow any money to be borrowed for the purpose of purchasing armour plates until £2,650,000 had been expended in the dockyards during the year. Consequently, a Supplementary Estimate was presented, and £300,000 of the money so obtained was spent on armour plates, the balance required being obtained by savings on other Votes. The right hon. Gentleman further complains that not a penny has been spent on dockyard shipbuilding of the £128,000 savings shown in the Return. This sum was made up from the savings from the previous year, and could not be drawn upon until the dockyard shipbuilding in any year amounted to £2,650,000. As to the armament of contract ships, in November, 1889, it was anticipated that guns and ammunition to the value of £866,000 would have been manufactured for the vessels under construction. Instead of that, the Admiralty was only able to obtain guns and ammunition to the value of £492,000. Then there is a difference on the credit side of the account, because the statement is an estimate dealing with two years. There is the unexpended balance for the year then current covered, and the estimate of the probable savings for the year not arrived.

SIR W. HARCOURT: The unexpended balance was the balance remaining on the 31st of March, and that could not have been altered at all. How is it that the Admiralty were ignorant in June, 1890, of how much unexpended balance there was on April 1 of the same year?

*MR. FORWOOD: I am sorry I have not been able to make myself clear. The Admiralty, in the Return, did not attempt to tell the House the amount of the actual unexpended balance. They simply filled in a Return in the form asked for by the right hon. Gentleman the Member for Bradford. That Return is practically a replica of the Estimates for 1890-91.

SIR W. HARCOURT: I beg the hon. Gentleman's pardon; the Return asked for estimated expenditure, and asked also for the provision made to meet it. But the provision, as far as it was unexpended balance, was an ascertained amount on the 1st of April, and, consequently, there was nothing in the nature of an estimate about it.

*MR. FORWOOD: The Return simply asked for the estimated expenditure of 1890-91; and if there has been any misapprehension as to the meaning of the right hon. Gentleman who moved for that Return, that will explain how the right hon. Gentleman the Member for Derby has mistaken the meaning of these figures. I wish to make it clear that these figures were not actual results, but estimates placed before Parliament, and made up three months before the actual Returns for 1889-90 could be obtained, and 15 months before the actual expenditure for 1890-91 could be ascertained. It is, therefore, quite clear that the remarks of the right hon. Gentleman have been founded on a mistake as to the figures called for by the right hon. Gentleman the Member for Bradford.

SIR W. HARCOURT: I really cannot accept that; a balance is not an estimate, but a fact. There is nothing about unexpended balances; the question is whether the Admiralty at the end of the financial year knew how much they had actually spent.

MR. FORWOOD: At the end of the financial year the Admiralty knew exactly what their actual balance was, but in the previous December they could not be aware what the balance would be on the 31st of March following. The right hon. Gentleman has missed

another point. Under the Naval Defence Act we had to state what our estimated unexpended balances were, and in the Estimates for 1890-91 the right hon. Gentleman will see that the estimated unexpended balances of 1889-90 available for 1890-91 were stated. We have been dealing in this matter entirely with Estimates. The right hon. Gentleman has commented upon the system of carrying over, and desires the House to believe that it is an innovation which is unsatisfactory, and in a certain sense misleading. This question of carrying over unexpended balances is a matter of serious public concern, and I should like to be permitted to say a few words with regard to it, and to point out how these very Estimates prove the desirability of the system. If the Naval Defence Act had not provided that the balance unexpended in one year should be carried over and be available for expenditure in another year, the result would have been that, on the figures which we are now discussing, the House in 1890-91 would have raised £2,000,000 by taxation more than could have been expended, which would have gone in reduction of Debt. I think the House will admit that if it is anticipated that the contractors will require a certain sum of money, it is the bounden duty of the Government to come to the House and ask the House to provide that money. I say it is wrong finance to underestimate your probable expenditure. It is a very intricate matter, but I submit that the statement laid before the House shows that as far as expenditure under the control of the Admiralty is concerned the estimate was wonderfully accurate and close, and that the estimate relating to contract vessels was disturbed by abnormal circumstances which no one could have foreseen. Fortunately, the power of carrying over has enabled us to save the taxpayer a large sum of money.

(5.24.) MR. SHAW LEFEVRE (Bradford, Central) : I must take exception to the statement of the hon. Gentleman respecting the Return I moved for last year. He has endeavoured to hide the mistakes of that Return by misrepresenting its objects. He said my object in moving for the Return was to show that the estimates made by the Admiralty with respect to the Navy were incorrect.

Mr. Forwood

*MR. FORWOOD : I did not say that was your object. I did not know wha your object was. I simply said we thought the Motion for the Return meant a reproduction of the Estimates in another form.

MR. SHAW LEFEVRE : There was nothing in the Return which in the slightest degree indicated that that was the object of it. The reason which led me to ask for that Return originated in a discussion on the Budget last year, when I said that in my opinion the Government ought to have stated what the actual expenditure of the country was, both with regard to the Army and the Navy. I ventured to form an estimate of what the real expenditure was likely to be, and challenged the heads of the two Departments to say whether I was right or not. I was followed by the First Lord of the Admiralty and the Secretary for War, who both stated that my figures were entirely wrong. Accordingly I moved a few days later for a Return for the purpose of showing what was the estimated expenditure and what was the actual provision made for it within the knowledge of the Government at the time the Return was made. The Return was the subject of a good deal of discussion between myself and the Treasury officials, and at last I obtained it. Certainly no human being, I should have thought, would have supposed I intended by the Return merely to obtain an estimate of the provision likely to be made for the expenditure in the previous November. There can be no question that the Return is entirely misleading. In June 1890, that is to say three months after the completion of the previous financial year, and at a time when the actual expenditure of the previous year must have been within the knowledge of the War Office and the Admiralty, a Return was presented which entirely misstated the expenditure of the previous year, and made an entirely false estimate of the expenditure of the coming year. It showed that the estimated expenditure of the year was £38,300,000 whereas the actual expenditure was £36,500,000. My right hon. Friend the Member for Derby (Sir W. Harcourt) has pointed out that the Return is also misleading with regard to the unexpended balances

under the Ship-building Vote and the Naval Defence Act. I think the House will consider that the attempted explanation of the Secretary to the Admiralty, in reference to the statement made by the noble Lord the First Lord of the Admiralty, has been wholly unsatisfactory. The Secretary to the Admiralty hardly ventured to defend his chief in this matter. All he could say was that he hoped the noble Lord, whose absence we all regret, would be able when he returned to the House to give a full explanation. He went on to say that the late Government when it left office did not make adequate provision for the naval expenditure of the year. But he did not attempt to answer the question put by my right hon. Friend the Member for Derby as to why the present Board of Admiralty, when they came into office in 1886, reduced the Estimates for the Navy by no less a sum than £1,000,000. The First Lord of the Admiralty has made a statement in the provinces which is most audacious in its character, and for which there is no justification whatever. The noble Lord has endeavoured to throw the responsibility on his predecessors in office for the great expenditure recently adopted in the Navy, and has entirely forgotten the fact that for two years after he assumed office he was continually reducing the expenditure on the Navy, on the ground that when he came into office ample provision had been made by his predecessors. That is the charge which the Secretary to the Admiralty has totally failed to meet, and I venture to think that when the First Lord of the Admiralty returns to the House he will find it impossible to meet that charge, or to give an explanation of the character of the language he has used in the provinces. I read the noble Lord's statement with great surprise. No language ever used by the head of the Admiralty with regard to his predecessors was more completely unjustifiable, and all the facts mentioned by my right hon. Friend the Member for Derby have thoroughly exploded the statements of the noble Lord, and have shown that they are the opposite of what is true.

*(5.35.) VISCOUNT LYMINGTON (Devon, South Molton): To turn from Imperial questions to a matter of considerable importance to a large number of the poor in towns, I should like to call attention to the incidence of the Inhabited House Duty. By his Budget of last year the right hon. Gentleman the Chancellor of the Exchequer granted an exemption from that duty in the case of all houses whose gross assessment does not exceed £20. But this extraordinary anomaly or injustice has arisen, that whereas the artisan or working man who lives in a cottage outside London under £20 pays no Inhabited House Duty, the same class of tenant, or rather a poorer class, living in a town, who is obliged from the nature of his work to live in a block building, occupying a separate tenement, separately assessed for poor and other rates, has to pay the duty—or rather the Inland Revenue Office is claiming it from him. It seems to me that a mistake has arisen. I can not suppose that the Chancellor of the Exchequer, when he granted the exemption to meet the case of the poorer householders in the country, wished to impose a greater injustice on the poor in the towns. Until the present time it has been the custom of the Inland Revenue Department not to press for the Inhabited House Duty, even before the right hon. Gentleman made the remission; but the attempt is now being made by the Inland Revenue Department, in cases either of tenement lodging houses or blocks of buildings occupied by poor people in London, to lump the whole value together. Although there may be in a block of buildings 100 or 130 tenements, which are regarded as separate dwellings for other purposes, under £20 gross annual value, the fact that there happens to be one tenement above that value causes the Inland Revenue Authorities to lump the whole together, and thus the poor people are compelled to pay. The tax is thus made to fall upon even poor working women who pay half-a-crown for a room. I am aware that the right hon. Gentleman attempted to meet the views of certain Members of this House by imposing in the Budget Bill of last year a limit of 7s. 6d. What I contend is that the working-men in towns who are obliged to inhabit tenements of less than £20 gross annual value should be placed in precisely the same position as their fellow labourers who live outside towns.

The right hon. Gentleman may say that some of the building companies in London should lower their rents. It is impossible for the company with which I am connected to do so. We pay our shareholders at the price of our Stock 4¼ per cent., and the whole of the rest of the money is purposely and obviously devoted towards keeping down the rents. The cost of building in London is in all cases very expensive, and it is absolutely necessary that in some cases the rent of your tenements should be higher than others. All we press for is that the tenants of rooms, which are assessed at a sum not exceeding £20 a year, should have the same advantage as the working man in the country, and be exempt, and that all tenements whose gross value is over £20 but under £60 should pay the reduced duty of 3d. instead of 9d., as is the case in the country. It is clear to me that as the matter stands now, it is taxation either by a trick or by a blunder. I believe it to be the latter.

*(5.42.) MR. BARTLEY (Islington, N.): I should like to emphasise the argument of the noble Lord by quoting two instances which have come within my own knowledge. There is a block of buildings in Great Eastern Street which, under the old system, paid Inhabited House Duty of 13s. 6d. per annum. Under the new system a claim has this year been made at the rate of 9d. in the £1, making the duty claimed £10 12s. 3d. There is another block in St. John's Square which paid under the old system £4 0s. 3d. This year a claim has been made for £1 6s. 9d. at the rate of 3d. in the £1. Both blocks of buildings are within half mile of each other, and are practically of the same character and accommodation. I think the right hon. Gentleman will see that we who are interested in these dwellings of the poor have a cause of complaint, and if he can do something to put the matter on a reasonable footing we shall be extremely indebted to him.

(5.45.) MR. GOSCHEN: In reply to the remarks made by my two hon. Friends who have spoken last, I may say that it is the District Commissioners who administer the Act, and it was not my intention that in the case of tenements where the rental is only 7s. 6d. or under, the Inhabited House Duty should not be charged. I will see that my intention is carried out in that respect. In the case of tenants in block buildings who pay 10s. a week and over, the House Duty should be charged the same as in houses over and above £20. I think the House will feel that, when we come to a rental in a block of 10s. a week, that is a very high rent for an artisan earning weekly wages to pay, and it will be agreed that in such cases the duty should be charged. With that exception I will endeavour to meet the views of the hon. Gentlemen.

*MR. BARTLEY: At the 3d. or the 9d. rate?

MR. GOSCHEN: At 7s. 6d., they will be exempted altogether from the House Duty. If my hon. Friend the Member for Islington will supply me with particulars, I will look into the question he raises.

*VISCOUNT LYMINGTON: Seven and sixpence only represents practically about £12 a year, and our contention is that all under £20 should be exempt.

MR. GOSCHEN: I cannot overrule the Act passed last year with regard to the 7s. 6d. limit; but I am prepared to give a concession that seems to me to be within the spirit of the Act. I pass now to the speech of the Member for Derby (Sir W. Harcourt), and I will also say a word on the speech of the Member for Bradford (Mr. Shaw Lefevre). The latter right hon. Gentleman has, if I may say so, got his own Return on the brain. The right hon. Gentleman has been complimented by the leader of his Party as an industrious-minded man, and he deserves that compliment for the industry with which he has followed up this subject. My hon. Friend the Secretary to the Admiralty explained that the authorities at the War Office put a different construction on the wishes of the right hon. Gentleman from those which he now expresses. It is very unfortunate that a misunderstanding should have arisen, but to say that the whole Return has been muddled is a most gigantic exaggeration. The two right hon. Gentlemen have contended that the Government has made a fearful failure in administration because, whereas they were expected to expend £38,000,000, they spent only £36,500,000.

SIR W. HARCOURT: It is a question of £4,000,000 out of £5,000,000.

MR. GOSCHEN: That is how the right hon. Gentleman puts it. But, taking it at that, where is the fault? Time after time we have pointed out to the House the reason why the contractors were not up to time as regards the instalments. The right hon. Gentleman says we shall not be able to complete the work within the time anticipated. That does not at all follow, because it is highly probable that during the remaining years the contractors will fetch up their work. If they do not they will be subject to penalties. There is, therefore, only a displacement of figures or charges. The fact that this matter is brought forward only serves to show that the right hon. Gentleman is driven to poor expedients to make up a case. I think it is better to show in the Return what has not been done than that we should be in the position in which the Admiralty frequently used to be—not having accomplished the work by thousands of tons, and yet not showing that result in the Estimates for the year. I say ours is the right system. The Admiralty is now compelled to refrain from devoting any money voted for shipbuilding to repairs, and consequently this year, I will undertake to say, we have reached an accuracy in the Return of the amount of work performed in the dockyards which has never before been reached. If there is any difficulty in understanding the accounts, that is a difficulty which will be removed, I think, in the second year, and when the right hon. Gentleman the Member for Bradford is less industrious in showing us how the accounts ought to be made out. It is incredible that right hon. Gentlemen opposite should go on repeating that we are always having recourse to new devices, when we have quoted over and over again their own precedent with regard to the localisation of forces. The right hon. Gentleman the Member for Derby, complained that we are substituting new devices in the place of the old way. I think it strange that such a charge should be made by the Member for Derby, who was a Member of the Government of the right hon. Gentleman the Member for Mid Lothian, whose scheme for the localisation of the Forces has entailed on the present Government debts so incurred. We are actually paying at the present day a charge put on the taxpayers by the right hon. Gentleman and his colleagues in 1883. I do not complain of that, but I do complain that with that precedent before him the Member for Derby should complacently repeat to the House over and over again that the present Government are always having recourse to new devices. He wished to represent it was a new device to advertise Treasury bills, but during the short time the right hon. Member for Derby was Chancellor of the Exchequer he was not without experience in that direction.

SIR W. HARCOURT: I did not say it was a new device; I said it was extraordinary the Government could not get the money.

MR. GOSCHEN: I am coming to that presently. If finding money as my predecessors found it for the localisation of Forces is not a new device, what are the new devices? I will make a confession where I have introduced something new, but what I wish the House and the public not to be misled about is, that in the main there has been no change in the principles of finance which the Government has adopted. There is one thing that is new, and, whether right or wrong, I plead guilty to it, and that is pledging of the Suez Canal bonds. The other point as to which there is a novelty, no doubt, is the Naval Defence Act. Those are the two points, and the two points only, in which I admit there is something new, and these I defend on grounds which I have more than once explained and again indicated to-day. That is the whole sum of my offending in relation to the charge brought against me to-day—the charge of novelty. I must once more allude to the phrase he used, the "needs of the year." The question is whether building barracks, for instance, is a "need of the year." I hold it that the needs of the year ought to be paid for in the year, but the phrase does not mean, and has not meant, even with our most critical opponents, that where an expenditure, approaching a capital expenditure was being incurred, there should be no borrowing at all. Now, the last novelty is that the right hon.

Gentleman complains that, having stated in the Budget we intended to deal with education, the Government has not yet introduced the Bill.

SIR W. HARCOURT: Or produced an Estimate. My point is that a public Bill which involves taxation should be based on an Estimate showing how much money is going to be spent.

MR. GOSCHEN: I will give the right hon. Gentleman a precedent from the time he himself was in office, and the right hon. Member for South Edinburgh was Chancellor of the Exchequer. The Member for South Edinburgh was referring in his Budget to the reduction of telegrams to the minimum charge of 6d., and, after mentioning that he had commenced a careful inquiry as to the cost of the change, he said—

"I cannot anticipate the result of such an inquiry, but I propose to set aside £170,000 out of my balance to enable me if possible to carry out the change in the course of the present year."

I, on my part, propose out of my balance to set aside a sum of about £800,000 to enable me, if possible, to carry out the views of the Government with regard to education in the course of the present year.

SIR W. HARCOURT: The two instances cannot be compared.

MR. GOSCHEN: I think they can. [Sir W. HARCOURT *laughed.*] I do not know whether the hilarity of the right hon. Gentleman is the hilarity of conviction, or whether his heart rejoices to discover that after all the Chancellor of the Exchequer has not the originality upon which he so delights to compliment him. On the occasion which I have cited the House was not informed of the particulars of the change, and, nevertheless, the Chancellor of the Exchequer set aside a sum out of his balance. Doubtless there are many other precedents; it frequently happens that charges are imposed by Parliament upon the country, and the Budget makes provision for these before the Bills have been passed. Though the Government will do their best to inform the House at the earliest possible moment of their intentions, I maintain there is nothing unconstitutional or new in our having set aside a portion of the balance for the purpose. The right hon. Gentleman says we are not able to give any information because the First Lord of the Treasury is not here, and he is very merry, according to his wont, upon that point. It is not that the Members of the Government present are not able to give the information desired, but, as is well known, the Leader of the House is the person to determine in what order various measures shall be taken, and it is an exaggeration on the part of the right hon. Gentleman to suggest that we are in any doubt as to our plans, or that the absence of the First Lord of the Treasury is in any way delaying the progress of business in the House. The right hon. Gentleman has made a mistake, and others have made a mistake, as to the present condition of the Funded and Unfunded Debt, He read the House a disquisition upon Treasury bills in general, and ventilated his favourite theory—in which there is a great deal of force—with regard to the objections to Treasury bills, but when he came to his proofs it appeared how little the right hon. Gentleman seems to appreciate the situation. The right hon. Gentleman was not intentionally unfair, but there was great injustice indeed in the manner in which he represented the bad finance in having to pay $3\frac{1}{4}$ per cent. on Treasury bills, while Consols were $2\frac{3}{4}$. The point is this: The country has saved $\frac{1}{4}$ per cent. on £500,000,000, while it is paying a somewhat larger price for about £6,000,000 or £7,000,000 of Treasury bills, and that is the point on which the right hon. Gentleman is so unjust. Here is an operation which involved the conversion of from £400,000,000 to £500,000,000. A very large portion of that was converted by the holders themselves, but there remained a sum of upwards of £40,000,000, and that sum it has been my duty to face. I faced it, and we have succeeded in reducing the Treasury bills, by which a portion of the operation was carried out, really to an insignificant item compared to the enormous magnitude of the whole transaction. No doubt there are more Treasury bills out than I myself like to have out; but what is the inconvenience compared to the fact that by the conversion we have saved to the taxpayer £1,400,000 for the next 14

years, and £2,800,000 afterwards? It is because the right hon. Gentleman has failed utterly to appreciate that part of the case that I have said he has not dealt with this great transaction in a manner which I think just.

SIR W. HARCOURT: You need not have raised it by Treasury bills.

MR. GOSCHEN: How then?

SIR W. HARCOURT: There were Consols.

MR. GOSCHEN: No; because Consols were not at par at that time. Here is a right hon. Gentleman, an ex-Chancellor of the Exchequer, of a few months' standing, I admit, who thinks we can put 40,000,000 of Consols on the market, when they are not at par, and get the money at par. Consols at that time were at 98, I think.

SIR W. HARCOURT: You did not borrow £40,000,000.

MR. GOSCHEN: I think it was about £24,000,000. When I heard the views of the right hon. Gentleman as to standing on the ancient and orthodox lines, I sometimes rejoice, that, after all, the right hon. Gentleman is not in a position to throw 24,000,000 of Consols on the market at a moment's notice, because the consequences that might ensue are too dreadful to contemplate. What would have ensued? I should have increased—permanently increased—the capital of the Debt; but instead of that I raised the money mainly by Treasury bills, and largely by resources in the hands of the nation, with some little inconvenience I admit, but I was able to effect the object without throwing any large amount of Consols on the market. The amount of the Treasury bills will rapidly decrease, notwithstanding the fact that we shall have to borrow £2,000,000 or £3,000,000 in this year through the operation of the National Debt Commissioners. They have money in their hands by which they can take the bills and diminish the amount, so that, after all, the inconvenience which the right hon. Gentleman fears will be of only short duration. If the right hon. Gentleman and his Friend will only give me time enough, I hope that before he again resumes office as Chancellor of the Exchequer he will find the Treasury bills reduced to a very low amount, and will not be exposed to the inconvenience he deplores. The right hon. Gentleman asked why we withdrew the £2,000,000 the other day, and said the failure to get it was a humiliation. There is no more humiliation attaching to it than to the Indian Office Council bills. I think it is perfectly right that if the Money Market is too dear, and there is no need to buy at that particular moment, then we should not accept tenders. The tenders, I believe, would have been about 4¼ per cent., and I consider—and rightly so—that if I do not accept the tenders made, and deferred, I could get the money at a cheaper rate. Surely there is nothing humiliating in that. I am, in truth, rather glad that it happened, for it shows that we are not obliged to accept whatever offers or tenders are made to us, and, therefore, such a course is not without its advantages. Then the right hon. Gentleman asks where we got the money. Well, at this time the balances in the hands of the Government were large. I purposely asked for £2,000,000 of bills, because if I had not put out tenders at that time we should have had to pay a higher rate. I accept the right hon. Gentleman's theory, and have been acting upon it by endeavouring to reduce the amount of the Treasury bills on the public, and we shall continue to do so, notwithstanding the increased amount we have to borrow. Whatever inconvenience we are exposed to is one more of sentiment than reality; but that inconvenience, whatever it may be, is of little moment when we considered it in the light of the sequel, to the great operation of which I have spoken. Those tenders are necessary, not for the purpose of the £2,000,000 or £3,000,000 that have been borrowed, but as the sequel to the redemption of the debt. The difference now between the right hon. Gentleman and myself is reduced to this—that the right hon. Gentleman would have forced sales on the market to the tune of £25,000,000, while I proposed Treasury bills over a time, and took them up without any loss whatever. As to the question of the Sinking Fund, I believe and hope that the old Sinking Fund will not be used for any deficiency of bills in the course of the year, but for the purpose of diminishing debt. The

right hon. Gentleman next complains that I have not stated what has become of the £600,000 which was set aside in the Budget of last year for dealing with light gold. The fact is that the matter has slipped my memory. The sum of £400,000 is to be applied this year. As to the £600,000, as it has not been employed in expenditure, it remains in the old Sinking Fund, and has been used for the repayment of the debt. With regard to the £400,000, a sum taken from the profits on silver, I propose to apply it to the withdrawal of light coins. The sum is reduced from £600,000 to £400,000 this year, because, according to the latest researches and the opinion of some of the ablest statisticians, the estimates of the amount of gold in circulation are much too large. It has, therefore, been possible to make a reduction in the old Estimates, which ranged up to £90,000,000 or £100,000,000. That has been confirmed by the experience we have had of the pre-Victorian coin; and, therefore, we have not thought it necessary to take more than £400,000 for the withdrawal of light gold coin. The right hon. Gentleman has further complained that I have not placed before the House my views with regard to the banking system of the country and any reforms in the currency. I deeply regret that the right hon. Gentleman should have used the expression—not a very dignified one—that I have "cried stinking fish" with respect to the banking institutions of the country. It is not true, but a gross exaggeration. I have never failed in all my public utterances to pay what I believe to be a well-deserved tribute to the manner in which the banks, in most respects, have been conducted. But I have put my finger on one point which I believe to be a source of considerable weakness in the banking system, and in that I think nine out of ten men, including the right hon. Gentleman himself, will agree with me—I allude to the absence of a sufficient reserve. The right hon. Gentleman rightly thinks that the banks have not held sufficient reserve, but I am glad to say—as I have been invited to speak on the matter—that the London Joint Stock banks have consented, at my instance I may fairly say, to monthly publication of their accounts, showing the amount of money in their possession and in bank bills as distinguished from their other assets, and I believe this publication will have a considerable effect in increasing the reserves of the banks. The country banks have undertaken to publish quarterly. I therefore think I have obtained something—and without the aid of legislation, too—by what the right hon. Gentleman calls my "flying my kite." I agree with the right hon. Gentleman that the banking institutions of the country ought not to lean too much on this House or the Government, and it has been a great satisfaction to me to find that the banks are willing to adopt this step, though there was considerable doubt about it, without my having recourse to Parliament to pass an enactment enforcing a more frequent publication of accounts. Moreover, I have thoroughly threshed out the subject with the managers and directors of the great London Joint Stock banks. I have given weekly attention to this matter in conference with many who could best advise me. I am glad to be able to state that the guarantee for Barings' house was undertaken by the great banking institutions of this country without any undertaking or guarantee by the Government directly or indirectly. I do not deny that great pressure has been put upon the Chancellor of the Exchequer and upon the Government with regard to it; and there was a time, in that memorable week, when it was believed that without the assistance of the Government it would be impossible to carry through the saving of that great house and all those other houses which might be imperilled by its fall. Although, curiously enough, there had been a precedent in 1795, when a house of business was saved by the issue of Exchequer bills, yet the Government declined to enter upon such a guarantee. They held that the City of London was strong enough to carry the matter through by individual efforts, and in that way the situation has been saved. It is a great credit to the banking institutions of the country that in two or three days they took the necessary steps to save the crisis. It now only remains to me to deal with the final passages of the right hon. Gentleman's speech. Summing up his charges against the novelties of the

Government, the right hon. Gentleman said they were due to the profuse expenditure of the Government. Then the right hon. Gentleman, while charging us with profuse expenditure, informed us that he had spent more on the Army and Navy in one year than any other Government.

SIR W. HARCOURT: Out of the Estimates for the year.

MR. GOSCHEN: At any rate, out of the Estimates there is one thing which the right hon. Gentleman did not do. The right hon. Gentleman did not pay for the ammunition for the guns which he ordered. On the contrary, the Government — and I suspect that the right hon. Gentleman had a great hand in it—struck out the ammunition, although the guns had been ordered. It was certain that the taxpayers, since I have been Chancellor of the Exchequer, have had to pay heavily for the ammunition struck out by our predecessors. I do not know how right hon. Gentlemen opposite can justify their putting themselves in such a position. At all events, the right hon. Gentleman said the present Government have been profuse in their expenditure. I do not know to what extent the right hon. Gentleman has voted against that expenditure. Hon. Members opposite at their public meetings are very fond of speaking of the confused accounts of the Government without telling their audiences that the right hon. Member for Bradford was responsible for the confusion in the accounts. However, in the speeches addressed to public meetings by the right hon. Gentleman opposite (Sir W. Harcourt), I have not observed that the right hon. Gentleman made the expenditure on the Navy one of the main grounds of his rhetoric.

SIR W. HARCOURT: I both spoke and wrote on that subject.

MR. GOSCHEN: But in none of the splendid speeches addressed to the public by the right hon. Gentleman have I seen a word in which he made the expenditure of the Navy one of the main points of his attack. If I recollect rightly, the right hon. Gentleman never said naval expenditure was too large, but was rather opposed to the means by which we met it.

SIR W. HARCOURT: I made a strong speech on the Naval Defence Bill, which is reported in *Hansard*, and to which I would refer the right hon. Gentleman.

MR. GOSCHEN: Does the right hon. Gentleman mean to say that we have been building too many ships? This is a very interesting point. Here is a right hon. Gentleman with influence that cannot be exaggerated in the councils of his Party. Here also is a matter deeply affecting the vital interests of this country, namely, the strength of the Navy. The Government have decided on their own responsibility that the Navy ought to be of a certain strength. Now, does the right hon. Gentleman hold that we are making the Navy too strong? Does he believe that we might cut down a certain number of ships at the present time? The right hon. Gentleman, who has made some good-humoured interruptions, is silent when I ask him if he thought the Navy is too strong.

SIR W. HARCOURT: If the right hon. Gentleman will read the admirable speech which I made on the Naval Defence Bill he will know exactly what I mean.

MR. GOSCHEN: A single word from the right hon. Gentleman as to whether he thinks the Navy is too strong would be a better answer to the public than a reference to a speech of which I may have an easy command, but which the electors over whom the right hon. Gentleman exercises his influence may not be able to refer to. I hope I have now referred fully to the charges brought by the right hon. Gentleman. I can assure the right hon. Gentleman that I feel deeply conscious—as deeply conscious as any of my predecessors—of the immense responsibility of not only finding the necessary means for the defence of the country and for the expenditure, but also of the responsibility of upholding proper principles of finance. I do not feel that we have been guilty of the charges brought against us by the right hon. Gentleman. I have endeavoured to reduce them to their proper dimensions, and I leave it to the country to judge whether I have been in any way unworthy of the trust imposed upon me, not only to get in the necessary amount of taxes, but also to maintain the finances

of the country unimpaired, and to keep the financial ways of the country orthodox and correct.

(6.40.) MR. PICTON (Leicester): Considering that so large a part of the afternoon has been wasted on a Debate relative to a horse race, I cannot but regret we have not more time for discussing this important question. I do not believe that the oldest Member of the House can recall a more formidable attack than that which has been made on the finance of the Government by the right hon. Gentleman the Member for Derby. The reply which has been made to it is weak in the extreme. I have not risen, however, for the purpose of adding any criticisms to the Debate, for I do not feel competent to do that. But there are one or two small points to which I should like to allude. For instance, the Chancellor of the Exchequer cited precedents for voting sums of money for purposes not sufficiently defined, and he referred particularly to the Budget of the right hon. Gentleman the Member for South Edinburgh, in which £170,000 was set apart for the purpose of reducing the telegraphic charges. But surely that is not a strictly analogous case, for then only £170,000 was set aside, while here £800,000 is to be set aside, with the certainty of an annual expenditure of £2,000,000 in the future for a new system of education, without the slightest explanation being vouchsafed as to the nature of the Government proposal. It must be remembered that in the case of the Budget of the right hon. Gentleman the Member for South Edinburgh everyone knew the lines upon which the reduction of the telegraph charges would go. Under the circumstances, I hope the Debate will not be concluded this evening.

*(6.44.) MR. MORTON (Peteboro'): I wish to move the adjournment of the Debate. It is impossible in the short time at our disposal to consider all the questions we desire to raise.

(6.45.) DR. TANNER (Cork Co., Mid): I beg to second the adjournment.

Mr. Goschen

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Morton.*)

(6.46.) MR. GOSCHEN: I hope the hon. Member will not press this Motion, seeing that on subsequent stages the questions raised can be further considered. I can assure him opportunity shall be taken on another stage to renew the most important part of this discussion. I hope, therefore, the House will allow this stage to be completed to-day.

(6.47.) MR. J. E. ELLIS (Nottingham, Rushcliffe): I very much regret that the right hon. Gentleman has not at once consented to adjourn this Debate. This is an extremely important Bill. We have only had a few hours discussion on it, and I think the right hon. Gentleman will admit that points are involved to the discussion of which a whole evening might well be devoted. I trust, therefore, he will re-consider his determination.

(6.48.) MR. CONYBEARE (Cornwall, Camborne): Past experience has taught me that a bird in the hand is worth two in the bush, and with all respect for the promises and pledges of the Government, I very much prefer that the important questions raised in this Bill should be discussed on this stage, and not left to future stages. The Government have chosen to waste time in a Debate as to the Derby adjournment, and they have thrown away a whole Sitting, after having first inspired paragraphs in the newspapers that it was not to be treated as a Party question. Even a Member of the Government spoke in favour of the adjournment. That being so, it is not right for the Government to seek to shorten a Debate on a Bill dealing with most important matters. Several hon. Members have shown a desire to take part in the discussion.

Mr. CHANCELLOR OF THE EXCHEQUER rose in his place, and claimed to move, "That the Question be now put," but Mr. SPEAKER withheld his assent, and declined then to put that Question.

Debate resumed.

It being ten minutes to Seven of the clock, Further Proceeding stood adjourned till this day.

SUPPLY.

Resolution [25th May] reported [see page 979), and read a second time.

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

(7.50.) MR. SEXTON (Belfast, W.): At question time to-day I asked the Secretary to the Treasury a question as to an important matter which directly concerned my constituency and the whole of the community of the Province of Ulster in regard to postal matters. The Secretary to the Treasury, going as I think beyond the rights of his position, refused to give any information to the House on the matter, and I was obliged to give notice that I should raise a Debate upon it upon the Report of this Vote. I refrained from discussing it in Committee, although I had a perfect right, and it would have been convenient for me to do so; but I did not anticipate that any Minister would have kept absolute silence on a matter of this kind. I did think he would have been sufficiently civil to inform me that we might look forward to a satisfactory settlement of it. Since I put the question the Postmaster General has been in the House, in conference with the right hon. Gentleman the Secretary to the Treasury, and I should now like to ask him whether it is convenient that I should proceed at once with the Debate, or whether he will agree to an adjournment.

MR. JACKSON made no sign of reply.

MR. SEXTON (continuing): As the right hon. Gentleman has made no indication of agreeing to the adjournment, I am compelled to raise the question at once. In the month of June last year the Postmaster General received a deputation from Ulster—a deputation which was entitled to speak with authority for the City of Belfast—and they laid before the right hon. Gentleman some important facts as to the wretchedly inadequate character of the postal service in the Province of Ulster. I was present when the deputation waited upon the right hon. Gentleman, and heard his reply, and that reply certainly entitled us to believe that prompt attention would be given to the matter. The right hon. Gentleman admitted the grievance, and indicated his intention, and, indeed, I think he gave a very emphatic promise, to provide a remedy. But since then we have heard nothing upon it. At the end of last Session the hon. Baronet the Member for Wigton informed me, in reply to a question, that nothing had been done, and that no offer had been received from the Companies concerned, with a view of providing a remedy; but surely when the Postmaster General admitted the existence of a grievance, and undertook that he would provide a remedy, the initiative should rest with him to open negotiations. During the Recess I engaged in correspondence with the Postmaster General, and several letters passed between us. I pointed out that whenever there was a fog in the Channel between Holyhead and Dublin, the mails were delayed and letters reached the North of Ireland two or three hours late. Indeed, it sometimes occurred that merchants were compelled to send letters to England before they received the English mails, upon which their correspondence to a great extent depended. Surely that was a great absurdity—that the outward mail should be despatched before the inward mail was delivered.

It being Seven of the clock, Further Proceeding stood adjourned till this day.

EVENING SITTING.

MOTION.

COUNTY COUNCILS (ELECTION OF WOMEN.)

RESOLUTION.

(9.0.) MR. STUART (Shoreditch, Hoxton): I rise, Sir, for the purpose of moving the following Resolution:—

"That, in the opinion of this House, the law ought to be so altered as to enable women to be elected to, and to serve on, County Councils."

The object of the Motion is to permit women to be elected for, and when elected to serve on, County Councils,

whether elected by the ratepayers directly or chosen by the County Councils themselves in accordance with the Act. When the Local Government Act of 1888 was passed it was understood that women were enabled to sit on County Councils. In consequence of that view two ladies contested seats for the London County Council, and at the poll were elected by substantial majorities in the constituencies of Brixton and Bow. The members of the County Council were not only favourable to the idea of women being elected to serve on County Councils, but were also confident that the Act permitted them to sit and act, and in this belief the Council, in selecting certain additional County Councillors as aldermen, selected Miss Cons, whose fitness for dealing with many questions was in no way second to the qualifications of the ladies who had been elected directly by the ratepayers. Mr. Beresford-Hope claimed the seat at Brixton, and the question being taken to the Law Courts it was declared that Lady Sandhurst had not a right to sit because she was a woman, and she was, therefore, unseated in favour of the unsuccessful candidate. But the other lady candidates remained members of the County Council. A year afterwards the ladies again took their seats, but a member of the County Council brought an action against them. The question was debated in the Law Courts, and the Court of Appeal decided last April that the ladies had no right to be elected. Unless an Act is passed, therefore, women are not eligible to sit or serve on County Councils. The question was raised on the Scotch Local Government Bill in 1889; and one of the arguments used by the Government to prevent the election of women was that unless the contingency was specifically provided for, there might be the same difficulty in Scotland as had been created in England. But women now sit on School Boards, on Boards of Guardians, and their work as representatives on these Bodies has met with the approval and appreciation of the general public. On Boards of Guardians the number of ladies elected is much larger than it was 10 years ago; and with regard to the School Boards, the facts are these—that whereas in the first year of the School Board elections there were only eight women elected, there are now no fewer than 80. In making this proposal, I am, in addition to the arguments already used, supported by the fact that I am asking for a reform which is not altogether new, because the ladies I have named have not only served on the London County Council for a period of about six months, but in the case of Miss Cons and Miss Cobden they have served under the restrictions of a severe penalty for nearly three years. Not only have they served on the County Council, but on many of the Committees. So much so, that when the last election of Committees took place in the London County Council Miss Cons was elected to no fewer than six of those Committees, besides being appointed to 11 sub-Committees. In the work of County Councils there is a great deal by which those Bodies and the public generally must be benefited by being enabled to have the assistance of women. Take the case of the pauper lunatics. The London County Council has charge of an enormous multitude of these people, among whom the women number no fewer than 4,500. Surely, the presence on the Asylums Committee of ladies accustomed to deal with such matters must be of great advantage to the community at large; and the very men who at present form these Committees are those who have petitioned this House by enormous majorities to allow them the assistance which female County Councillors can render, feeling as they do their own inefficiency, and knowing the great value attaching to the experience and co-operation of ladies such as I have mentioned. The same observation is applicable to the case of the Industrial Schools, which are also under the County Councils. Every one who has had practically to do with these Schools must know how advantageous it must be to have the aid of ladies, not only in dealing with the girls, who come specially within their province, but also with the boys. Take, again, the case of the Infant Life Protection Act, the County Council has the licensing of persons and places under this Act and the selection of persons

competent to nurse children. At present these duties are relegated to committees consisting entirely of men; whereas, the assistance of ladies would necessarily prove to be a distinct advantage to the public. Take, again, the housing of the poor, in reference to which there are to be great reconstructions such as those about to take place at Bethnal Green. This is a matter in which also the assistance of women would be of practical utility. In London we have the advantage of such ladies as Miss Octavia Hill and Miss Cons, and the experience of such persons ought to be available to the State in dealing with such questions as I have indicated. From considerable personal experience I have no hesitation in asserting that in the matter of technical education for girls the assistance to be rendered by experienced ladies is a thing which the State ought to encourage rather than to discourage and disallow. The argument against women, founded on the magnitude of the financial operations of the County Councils, is of the most flimsy character, and such as it is it is thrown to the winds by their presence on the School Board and the Boards of Guardians, whose work involves an expenditure equally important. I have brought before the House several important duties of the County Councils, and upon which the services of women would be peculiarly useful to the State, but I place the argument for my Motion upon wider ground than this. It has been constantly reiterated by the President of the Local Government Board, and it is the truth, that there is a difficulty in finding the due supply of fit persons, if I may use the phrase, for constituting Local Boards, and we on this side of the House have always argued that you must not minimise the duties, and not too much curb these Local Bodies, because to do so would restrain able men from coming forward to take seats on these Boards. We must avail ourselves of the best material we can afford for the purpose, and we cannot afford to neglect any talent for this object which the State might utilise—we cannot afford to shut out and disfranchise any group of capable persons such as are found among those women who have education, competence, and leisure for such work. There are two or three arguments brought against us, and one of these is that women will become involved in politics. I quite admit that. We have always urged that County Council elections should be conducted on political lines, and no doubt women will, if they stand as candidates for election to County Councils, be constantly brought into contact with politics. But it ill becomes either side of this House to pretend to a desire to keep women free from politics. Why, it is only to-night to-morrow, and the following day that Women's National Federation meet, and women are encouraged to take part in political discussion; and upon the other side of the House, as the solitary occupant of the Government Bench and his few Friends behind him know, women form a very active section of the Primrose League, a powerful and excellent organisation in the interest of hon. Members on the other side of the House. On either side of politics positions of influence in relation to politics have been delegated to women; and yet when we propose that this position shall be suitably recognised, then we find objections started and fears expressed lest women should follow lines that may lead them into political controversy. Why, the argument is ridiculous. The Chancellor of the Exchequer knows that, for he is as willing as anyone to encourage women to take part in the proceedings of the Primrose League as we are to encourage the National Women's Federation. Then there is another favourite argument used, that if we allow women to sit as County Councillors then we must allow them to have seats in this House. That is the most extraordinary argument I ever heard. You might as well say that because you allow women to vote for members of a County Council therefore you must allow women to vote in Parliamentary elections; the two arguments are identically on the same lines. The advocates of woman's suffrage have been endeavouring from time to time to impress upon their friends that because women vote for municipalities therefore they ought to vote for Members of Parliament, and remarkably unsuccessful they have been. The fact is, the English nation is no more influenced than is the House of Commons by

this argument by analogy. There is the greatest difference in the functions of a County Council and this House. In the former we have a wholly Administrative Body, and in the latter a Legislative Body, and we have passed the Rubicon of admitting women to Administrative Bodies. We have them on the School Board and Boards of Guardians, and on those two Bodies, especially the former, performing functions of the utmost value and importance, and we cannot argue that because they have a place on those Bodies therefore women should have a right to sit in this House. But there are a number of politicians, more especially on the Liberal side of the House, who are in terror of anything that may for a moment look like coming near the fringe of allowing women a vote for this House, that they at once up with this bogey, and run away like children from a turnip lantern, when anything is proposed that will place women in a position of greater responsibility, or secure to the State the advantages of women's ability and experience. These are theoretical politicians, these are the gentlemen who will not for a moment be guided by practical experience. We who urge to-day the placing of women upon County Councils do so wholly without consideration, wholly without endeavour to argue out the question of Women's Suffrage upon this. The question of Women's Suffrage is not arguable on this basis. We see the advantages of women being allowed seats on similar Bodies, we see there is work for them to do on County Councils, and we see that they have shown on the London County Council that they can do that work successfully, and we therefore ask the House to permit the State to get the advantage of these services. There is an idea that the moment you permit women to sit on any Body you are practically compelling them to sit on that Body. The answer we get is that because there are 1,000 women who have no wish or desire for such a position, therefore we are bound to exclude the 10 women who may have that desire. It seems to be imagined that if the legislative change I advocate were carried out, a crowd of women would be seen taking possession of local institutions, and even invading the sacred precincts of this Chamber; but it is forgotten that women could only so enter the service of the State or the locality because constituencies are willing they should do so. That constituencies do wish to avail themselves of the services of women on Local Boards is evident from the facts I have given in relation to the increase of the number of lady members of School Boards. Not only for the sake of the County Councils and of the discharge of those duties for which women are specially fitted, but on behalf of those constituencies which desire to be represented by women, I urge this Motion on the House, and hope that it will be accepted. I beg to move the Motion standing in my name.

*(9.30.) SIR R. TEMPLE (Worcester, Evesham): As this is not a Party question, I rise to second the Motion.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*(9.33.) SIR R. TEMPLE: As this is not a Party question, and will not, I hope, be made a Government matter, I will briefly second the Motion. I trust that the House will kindly dissociate the question from domestic, Imperial, or Parliamentary politics, and to look at it merely as a question of municipal administration. After the allusions made to me by the hon. Mover, indeed, I could hardly give a silent vote. As rightly stated by him, my experience on the London School Board has impressed upon me the value of the services rendered by women as members of that Board, and the great advantage of the attention and experience which they contribute to its affairs. I regard the County Council as a Body of exactly the same character and *status* as the School Board. They are, indeed, sister institutions. The question whether ladies should sit on such Boards is not a question of to-day. It was decided 20 years ago, in the days of Mr. Forster, that ladies should be eligible as members of School Boards, and why should they

not be equally eligible as members of County Councils, which are bodies of a similar character? As they serve with advantage in the one, it is difficult to deny their claim to serve on the other. It is said that the work of the County Councils is extensive and arduous, but so is that of the School Boards. The financial and administrative work of some of the School Boards is enormous. For instance, in the London Board ladies sit on the School Management Committee, which controls some 9,500 teachers drawing salaries of nearly £1,000,000 sterling annually. There are matters which come before the County Councils in which women are specially interested, such as reformatories and the dwellings of the poor, the care of pauper lunatics, the protection of infant life. And it should be borne in mind that the ladies who come forward as candidates are few; but those few who do present themselves are persons who have special qualifications and predilections in these matters. They direct their energies to the work with an assiduity, a constancy, and a sympathy not to be surpassed and seldom equalled by men. As regards public opinion, a man would be rash to say what is the opinion of the majority of the ratepayers of this vast Metropolitan area; but a large section of the ratepayers is in favour of this proposal. I do not know whether that section is the majority, I suspect it is. Certainly a section of the ratepayers desire to be partly represented by women where suitable ladies present themselves as candidates. And if the law were altered so as to allow of ladies being elected to County Councils several constituencies in the Metropolis would, I believe, be found to avail themselves of the opportunity thus afforded. I earnestly hope that the House will give a favourable reception to this Resolution, which, with great pleasure I second.

Motion made, and Question proposed,

"That, in the opinion of this House, the Law ought to be so altered as to enable women to be elected to, and to serve on, County Councils."—(*Mr. James Stuart.*)

(9.40.) MR. LABOUCHERE (Northampton): I am afraid I shall not be speaking to a very appreciative audience this evening. It seems to me that I, and I trust the Chancellor of the Exchequer and one or two others, are the only persons here at present who are prepared to defend the cause of man. I confess that for my part I do not regard this question as within the arena of practical politics, and the best proof of that is the state of the House at the present time. I took the liberty, Sir, of calling your attention to the fact that not 40 Members were present to listen to the eloquence of the hon. Baronet opposite, and I am sure that on any other occasion Members would have hurried to hear what the hon. Baronet might have to say. I am not sorry, however, that this should be the case; I am not sorry that we are going to have a Division under such circumstances, for I think we may fairly hold that every Member who does not vote in favour of this Motion is opposed to it, for a very strong Whip has been sent out by the advocates of the proposition of my hon. Friend, but no Whip to summon opponents; and hon. Gentlemen have stayed away because they do not think the subject is worth the trouble of their attendance here, and because this evening with the coming event of to-morrow casting its shadow before, it was expected our proceedings would end in a count-out. This Motion proposes to enable women to sit on County Councils, and reference is made to the fact that women at present sit on Boards of Guardians and School Boards. But there is a great distinction between the limited duties of these latter Boards and the functions of County Councils, which are local Parliaments, and which we Radicals hope will more and more become Parliaments of each county with enlarged powers. Now, my hon. Friend has laid great stress on the fact of women being elected to Boards of Guardians and School Boards, and I can understand that. I will not say that if a Motion were now before the House to make women eligible as

members of these Boards, that I should be strongly in favour of it; but still, I can recognise the difference between the limited duties of a School Board or Guardians of the Poor, and the large and widening duties of a County Council. My hon. Friend has pointed to the fact that women have been elected to the County Council of London. My hon. Friend is an Alderman of the Council, and, of course, exhalts his office and his Council, but there are many County Councils, and it is to be observed that not one lady has been elected throughout the rest of the Kingdom. Therefore, we have the experience throughout the entire country, with the exception of London, to show that the country does not hold that ladies ought to be eligible or are desirable as members of the County Councils. Although I think my hon. Friend will admit the wide distinction between the position of Guardians of the Poor and School Boards and members of a Parliament, local or Imperial, I cannot understand how anyone could oppose, if he votes in favour of this Resolution, the entrance of women into these sacred precincts. You give them the rights of man; this is our old friend the thin end of the wedge, and if you induce the House to assent to the principle that women may be members of County Councils, it will be easy to carry the principle one step further and point out how well women had conducted themselves, how useful they had been, &c., &c., and go on to claim their admission to seats in this House. I put the whole thing together—female franchise and the election of ladies either to the Imperial Parliament or to the Local Parliaments; and I am opposed root and branch to the whole thing. I consider, if you allow women to elect, you must allow them to be elected, it seems to be a logical consequence. We are sometimes told that only women of property and an independent position will be elected, but we know what that means. It is against the Radical principle that such a right should be accompanied with a property qualification; and once break down the barrier between the sexes in this way, and you are bound to give the franchise to all, and it will be out of your power to prevent women coming into this House. Women will be in a majority, and men may thank Heaven if they are allowed to sit in this House. We may have a kingdom of the Amazons and all that sort of nonsense. There are some advantages peculiar to the male sex and others peculiar to the female sex, but on the whole, I think the women have the best of it in this world. We place them on a social pedestal, and I object to bring them down into the sordid arena of politics. We should, thereby, destroy all the amenities of existence. The domestic angel would become a very undomesticated I will not say what, but the reverse of the angel. For 6,000 or 7,000 years every intelligent man has held the views which I entertain, but now my hon. Friend, with 40 or 50 followers, comes down to the House to change what has been the rule for ages. I do not believe the majority of women are in favour of this proposal. I believe that 99,999 out of every 100,000 do not desire the franchise.

MR. J. STUART: I may remind my hon. Friend that they have the County Council franchise.

MR. LABOUCHERE: I am sorry for it, and I am sure they do not want it. The demand for this is part of the "woman's rights" idea, which means "man's wrongs" and the cry is entirely fictitious. There are certain ladies of very great intellect, no doubt they are women by accident, and they want to assume the position of men. Now, I object to legislating for what, with all respect to the ladies, I may call freaks of nature. It might be said in favour of allowing women to enlist, that some women have the muscular strength of the average man, and there are such, but they are exceptions. Women are the exceptions who have the intellectual mind and nature to enable them to take a prominent part in politics. Some children are precocious, and you may find lads of 15 or 16 capable of thought beyond the average man; but would you legislate for such exceptions? Each sex must accept the position nature has assigned to it. It is as absurd for women to whimper because they cannot be Members of Parliament as it would be

for Members of Parliament to whimper because they cannot suckle children. Women, by entering into politics, will lose the charm of their own sex without acquiring the qualities of the other. For my own part, I shall oppose all attempts, direct or indirect, to break down the barrier which nature has placed between men and women; and I believe that in taking this view I am supported by the vast majority of the women in this country.

(10.6.) THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG, Wilts, Devizes): I feel that those, who with myself, share the views of the hon. Member who has just sat down are in a minority at the moment; but I quite agree with the hon. Member that the state of the House, and the fact that Members have not come down in large numbers to listen to the discussion, encourages rather than discourages those who are opposed to the proposal that women should be admitted as members of County Councils. The hon. Member for Shoreditch apparently has at present on his side a certain number of dumb supporters. On the other side we have a limited number of supporters, whether dumb or not remains to be seen. At all events, the hon. Member cannot boast that the interest taken in this question has been sufficiently great to bring down a large proportion of Members to the House. Whereas at present the government of London rests in the hands of men, it is proposed that it should be shared equally by men and women. Those who are opposed to the proposal think it is better that men should retain the power which they at present possess. The Mover of the Resolution has told the House that the matter was never discussed while the English Local Government Bill was under consideration. Well, that is practically the fact; but I can bear testimony to the fact that, although the question was not raised in this House, it was frequently mentioned in the discussions which took place in the Lobby in connection with the Bill, and the view always held was that women would not be eligible under the English Local Government Bill. It is very remarkable that during the long discussion on that Bill nobody thought it necessary to move an Amendment to carry out the present proposal. In the case of the Scotch Local Government Bill the circumstances were still more peculiar, for an Amendment was introduced to make it clear that women should not be eligible. Then the Front Opposition Bench took part in the discussion through the person of the late Secretary of State for War, and the right hon. Gentleman made this strong remark—

> "The true analogy to the County Council is the Town Council. Has any public desire been expressed that ladies should become members of the Town Council?"

The right hon. Gentleman (Mr. Campbell Bannerman) made a strong speech and voted against the proposal. I am sorry he is not here to-night. Allusion has been made to the somewhat sparse attendance on this Government Bench, but it is equal in numbers—I do not presume to say in quality—to the attendance on the Front Bench opposite. I do not know whether either of the occupants of that Bench intend to favour us with their view; but so far as there has been an expression of opinion from that Bench, it has been against this proposal. After all, as a matter of common sense, why is it that the hon. Gentleman asks the House to legislate on this question. The hon. Member says that the County Council has work to do in which women would be useful, and he instanced the care of pauper lunatics. That is perfectly true, and no one is more anxious than I am myself that pauper lunatics should be cared for in the best possible way. But the London County Council is not the only body which has the care of pauper lunatics, and they have not discovered that they cannot fulfil that duty without the assistance of woman. The hon. Gentleman throws an unnecessary slur on his own sex when he says that County Councils cannot take care of pauper lunatics unless they have women on their Councils. But suppose that the position of pauper lunatics would be better if there were women to look after them, has my hon. friend opposite any charge to make against the boroughs

which are charged with the care of those lunatics? My hon. Friend behind me has said that it would be an advantage to have women take part in the management of industrial schools. But is there any allegation that the lads in those schools are not properly cared for? The fact is that both hon. Members think that women should have a share in the government of this country, and should rank with men up to a certain stage.

MR. J. STUART: I am prepared to say that, as a matter of fact, I did not.

MR. LONG: No; I did not say the hon. Gentleman said it; he gave certain reasons for his Resolution; but beyond these is the motive he now admits that women should share with men in the Government of the country. The hon. Gentleman now asks only that women should be admitted to the County Council. But does any hon. Member believe in his heart that, if this House endorses this Motion, it will not be followed by a demand that women should be admitted to this House? The hon. Member has based his contention on the fact that many subjects come before the County Council in which women are particularly interested, and upon which they ought to be allowed to express an opinion. I fully admit that; but is it not equally the case that there are scores of subjects the House has to discuss and decide, in which the interests of women are as closely associated, as any subject which may engage the attention of a County Council? The hon. Member referred to a remark of my right hon. Friend as to the difficulty of finding fit representatives for these Local Bodies, and, therefore, he said we should not discourage the influence of women. Nor have we any such desire, but we believe that that influence can be usefully exercised, and more usefully exercised than by making women members of County Councils. I am bound to say I heard one remark from the hon. Gentleman with unfeigned satisfaction, and perhaps it was a sort of apology from the Party of which he is a distinguished representative. For years hon. Gentlemen opposite have never restrained the energy of their language in abuse of the Primrose League, and Primrose Dames, a name of which I think I am not saying too much when I say it has "stunk in the nostrils" of hon. Gentlemen opposite. But to-night the hon. Member has told the House that the Primrose League is not only a useful and active organisation, but that it is a most excellent organisation.

MR. J. STUART: Most seriously dangerous opponents.

MR. LONG: That I know, but I think the hon. Gentleman said it is a most "excellent organisation"?

MR. J. STUART: Possibly.

MR. LONG: Well, we have had to-night from the lips of the hon. Member an acknowledgment that the Primrose League is a most excellent Body, and we are prepared to forget hard words used on previous occasions. The right hon. Gentleman says it is ridiculous to compare the admission of women to the County Council with their admission to Parliament, and that the people do not like argument by analogy. But the whole of the hon. Gentleman's speech was an argument from analogy, and he began by saying that what had been done in School Boards and Boards of Guardians ought to be done in County Councils. So also the speech of my hon. Friend (Sir R. Temple) was an argument by analogy. He spoke of the County Council and the School Board being sister institutions. But the London School Board is as different in its character and constitution from the London County Council as one body can be from another. I am addressing Members of the House who are also distinguished members of County Councils. Are they prepared to admit there is an analogy in the functions of these Councils to those of the School Board? Surely not; for the School Board has but one function—the education of the children of the district. I have no hesitation in saying that that is a subject on which women can give the benefit of their experience and knowledge, but it is a totally different thing to the municipal government of a large town. The hon. Gentleman said that it is ridiculous to

compare the admission of women to the County Council with their admission to Parliament. After all, what is the London County Council? It has the control of the health and the daily comfort, and in many respects the daily existence, of 5,000,000 out of the 30,000,000 of the population of this country. What is the distinction between allowing women to sit on the London County Council and allowing them to sit in this House? When anybody is extremely anxious to carry a proposal they no doubt believe that the matter will go no further than they desire it to go, but how are they going to prevent people saying in the future, "Women have been allowed to sit on your great County Councils; why not admit them to Parliament?" Many hon. Members on both sides of the House are in favour of the powers of County Councils being largely increased. One of their solutions for the delay of business in this House is a great delegation of work from this House to the County Councils. Hon. Gentlemen opposite have denounced the Government time after time because they were not prepared when the Local Government Act was passed to hand over to the London County Council the control of the London Police. If hon. Gentlemen are going so to extend the powers of County Councils as to give them far greater influence than they have at the present moment, they will make them in time Bodies only second in importance and in their power to do good or evil to the House itself. I ask hon. Gentlemen whether it would not be thought well to allow women to do that for the country which they had already been allowed to do for their own district or county. If this proposal for the extension of the right of women to sit on County Councils be agreed to, hon. Gentlemen opposite will be justified in saying to Her Majesty's Government, "Parliament has affirmed the principle that women shall be allowed to sit on County Councils, and therefore you ought to legislate to enable them to do so." So far as my experience goes, it shows me that on Tuesdays and Fridays many Resolutions of this kind are brought forward, and when by some accident a Member carries his fad by a Division taken in a House like the present, he proceeds to denounce the Government if they do not follow it up by legislation. If this Resolution is carried to-night the hon. Member will no doubt denounce the Government if they do not bring in legislation. Yet we all know that this Motion has been brought forward because three ladies—Lady Sandhurst, Miss Cobden, and Miss Cons—were elected to the London County Council, but have been proved by the Courts not to be entitled to sit there. It would be absolutely impossible for the Government to transact their own business if they were to take up all the various proposals which come from hon. Gentlemen opposite. [Mr. J. STUART: What proposals?] I think the hon. Gentleman himself has tried to secure the passing of a measure dealing with rates. [Mr. J. STUART: That was not passed.] That was not the fault of the hon. Member. If the hon. Baronet the Member for Cockermouth (Sir W. Lawson) had his way, he would have us bring in a measure in regard to temperance. We know there are other hon. Gentlemen opposite who, if they could, would have various proposals carried into law. If the Government were to attempt to carry out one-half or one-tenth part of all the proposals made, it would be impossible to get through the work. The hon. Gentleman talked as if all County Councils have to do is to manage industrial schools and pauper lunatic asylums. There are a vast number of subjects which come under the control of the various County Councils. There is, for instance, assessment and the levying of rates, the management of police, the management of main roads, the repair of bridges, and a score of other matters. I think it would puzzle even the most earnest advocate of women's rights to prove that women could with great advantage be brought in to aid in the transaction of this business. The whole argument in defence of this proposal is based upon the experience of the London County Council. The London County Council is almost the youngest of the great municipal Corporations in the country. The great Corporations of Birmingham, Liverpool, and other places have carried on the work of their various towns with the

utmost credit to themselves and benefit to the community, and they have never suggested that they could do their work better if there were women on the Councils. The Local Government Act, which created the London County Council and the other County Councils in England and Wales, was passed only as far back as 1888. The Scotch Local Government Act was passed a year later. During the passing of the English Act no suggestion was made that this privilege should be conferred on women. During the passing of the Scotch Act the suggestion was made and negatived, and by a most remarkable accident the champion of this right of the ladies did not even take the trouble to vote in the Division. Why should we be asked now, without any fresh circumstances having arisen, without any fresh evidence having been adduced why the persons of women on the County Councils would be advantageous, to go back on the legislation of 1888 and 1889 and give to women power they have never yet possessed and alter altogether the conditions under which our County Councils are elected? I sincerely hope the House will reject the proposal of the hon. Gentleman. I do not consider he has made out his case, and the condition of the House shows that if there is apathy amongst the opponents of the proposal, it excites very little interest amongst those who support it.

*(10.30.) MR. TOMLINSON (Preston) (who was received with cries of "Divide"): I cannot help saying that that those who cry "Divide" seem to have entered into a conspiracy of silence. I supposed that when Members come down to the House to make a Motion which they regard of great importance, they wished that all the arguments in favour of it should be stated. What do we find on this occasion? The Mover of this Motion made a speech, and he was seconded at no great length by my hon. Friend (Sir R. Temple). I see hon. Gentleman who take great interest in the question of the rights of women with notes of speeches in their hands. Why do not we hear those speeches? Why do not we have this question put forward in a manner worthy of its importance? Why this conspiracy of silence? The reason is quite obvious. It is that they find that the hon. Members who are opposed to the alteration of the law proposed, in the belief that the distinguished men who are in favour of the Motion would be ready with some arguments in support of it, and that the discussion would occupy some time, have not as yet come down to the House in large numbers. Now, the hon. Gentleman who moved the Resolution did not even touch upon the principle which is involved. It appears to me that the first point we ought to consider is what are the limits within which the position of women ought to be altered, if their position is changed at all. But instead of dealing with that point the hon. Member told us that the London County Council have to deal with certain matters, in dealing with which the assistance and advice of women would be of great advantage. The hon. Gentleman told us, for instance, that the Council had the management of lunatic asylums and technical schools. Surely every possible advice and assistance that women can give in regard to such institutions can be obtained without having women members of the Council. Have hon. members realised what it is they propose? I do not know much about the work of the London County Council. I can speak as to Lancashire. The County Council for Lancashire meets at Preston. Some of the members come long distances, as long as 30 miles. They have to leave their homes early and to return late. They sit for hours transacting the business of the county, and have to adjourn for refreshment in the middle of the day to the railway station, and frequently to return to their work. Day after day they are required to attend committees. They have not only to do this in fine summer weather, but all through the stormy and cold months of the winter. These facts seem to me to create a practical difficulty in the way of laying on women work which ought properly to belong to men. It is said women do good work on School Boards. I am not prepared to deny that; but, at the same time, I doubt whether the experience of those who are practically acquainted with School Boards is that they can get from

women the same assistance that they derive from a similar number of competent men. I challenge some of the hon. Members opposite who have not yet addressed the House to get up and grapple with the real principle. Unless they do so, the question will certainly not stand well before the country. I should also like to know to what this Motion is to lead. Is it to be an end or a step? Are women to continue to be excluded from Parliament after being admitted to County Councils? The question of female suffrage is in a chaotic condition at present. Some persons support it only to a limited extent: they will only grant it to certain women. Others would grant it to the sex generally; and in that case the limits of the question are boundless. Is the admission of women to County Councils to be limited, or is it to extend to all women whatever their legal status? I have spoken generally of County Councils; but I happen to represent a borough which is a county borough. It is a borough with a very ancient constitution. Is it desired to alter that constitution? I am satisfied of this, that there is hardly a single one of my constituents who desires to have the ancient constitution altered in the way proposed. I shall have no hesitation in giving the most strenuous opposition to the Motion.

*(10.40.) MR. CREMER (Shoreditch, Haggerston): At the risk of being considered by some of my Friends a reactionary, I shall vote against the Motion of my hon. Colleague. The chief argument in favour of the Motion appears to be that women already sit on School Boards, where, according to the hon. Baronet the Member for Evesham, they exercise a very beneficial influence. There have been other Members of the School Board for London quite as distinguished as the men now sitting on that Board. In the early years of the Board's existence, when it had to struggle with very many more difficulties than it has now to contend with, and when its policy was being shaped, there were giants on the Board who were most self-sacrificing in their efforts in the cause of popular education in the Metropolis. It was my privilege to be acquainted with some of these men, and I know that the prayer they sent up was—"Do not send us any more female members of the Board, but rid us as speedily as possible of those we now have." I prefer the opinion of the gentlemen to whom I allude to the opinion of the hon. Baronet (Sir R. Temple), however distinguished a member of the School Board he may be. It is a moot point then as to whether women have rendered such distinguished services to the cause of education as the hon. Baronet has described. What will be the effect of this Motion? In a very short time it will be urged on the House that because women have been admitted to County Councils, they must necessarily be qualified for seats in the House of Commons, and it would be only natural and consistent in those who support this proposal to vote for the admission of women to the House of Commons. The hon. Member for Preston (Mr. Tomlinson) has asked whether this is to be a step, or to be an end of the subject. I think those who have watched the movement on behalf of female suffrage for years past must be well qualified to answer that question for themselves. It is not an end. It is simply the means to an end. It is another step, not forward but backward, and I am not prepared to join my hon. Friends in taking that step. I am perfectly certain that every step taken in the direction my hon. Friends desire would be used as an argument for taking another step, and this process would be continued until all the females in the United Kingdom would find themselves enfranchised and some of them sitting in this House. According to the last Census, there are at least half a million more adult women than men in the United Kingdom. The country is now within measurable distance of manhood suffrage, and if women were enfranchised it would mean adult suffrage, and the handing over of the government of the country to women. Are we, then, prepared to allow the manhood of the country to be swamped by women, a majority of whom neither toil nor spin? ["Oh, oh!"] That is the fact, for women are not the great breadwinners of the family. ["Hear, hear," *and dissent.*] A few women may be, but I am not on that account prepared to

jeopardise the Constitution of the country —to hand over its destinies to a class the vast majority of whom have no political thought, or aspiration, and the great bulk of whom it would be found, if they were polled to-morrow, are perfectly indifferent to the possession of the suffrage. There is apathy and indifference enough on great public questions in the country and in this House already, and I do not wish to see it increased by introducing into our political life an element such as is sought to be introduced by the somewhat artful proposal now before the House; and if I had a hundred votes I should cheerfully record them against the Motion.

*(10.49.) MR. T. H. BOLTON (St. Pancras, N.): I do not know that I should have spoken on the question but for what appears to me to be a conspiracy of silence on the part of hon. Members on this side of the House. In my candidature I went so far as to say that I thought women who are householders and pay rates and taxes ought to have some direct voice in the election of Members of Parliament. In consequence of making that admission I have been pestered to vote for this Motion, and for what is called equal right between men and women. I promised to attend the Debate to hear what could be said in favour of the Motion.

An hon. MEMBER: You did not come.

*MR. T. H. BOLTON: Yes; I have been here during most of the discussion. I came down to hear what was to be said, but I have found that there is no disposition on the part of many Members on this side of the House to fully and fairly deal with the subject. It opens up much larger considerations than any that have been put forward in support of the Motion, and I cannot conceal from myself that those considerations are looming in the distance. The proposition is that women should sit on County Councils. The Courts of Law have decided that under the present law they are not eligible to do so, and therefore the onus of proof rests on those who support the Motion to show that there is a necessity for the change, especially having regard to the much larger considerations behind. The duties of County Councils are largely municipal, and have always been regarded as such as men can more satisfactorily transact than women. The London County Council has much more important matters to deal with than those to which the Mover of the proposal has alluded. There are, for example, the questions of the main drainage of London, the gas and water supply, the public improvements, and the great financial affairs of the Metroplis. The London County Council is only second to the Government and to the Treasury as a great financial body. It raises loans and undertakes large financial matters; in fact, grants loans to all the Local Authorities of the Metropolis, and I ask whether those are subjects which would ordinarily be relegated or entrusted to women to manage? It is true we have had three women on the London County Council who were discreet enough to give their attention to matters which women can well attend to, but you might have women on the Council who would insist on interfering in all the larger concerns to which I have referred, and we should not be able to prevent it, if this Motion were passed and carried into effect. Once on the Council women could take an active part in all its work, and exercise by their votes a direct influence in all its proceedings. I say that unless you are prepared to carry out this proposed enfranchisement very much further than the proposal of the hon. Member for Shoreditch, you cannot vote for the Motion. In the country also the County Councils have large duties to perform, nearly all of a municipal and financial character; including control over the police. Town Councils are in many cases County Councils, and if women are admitted to County Councils, they must be admitted to Corporations also, and to take part in all municipal work. Is this suggested or contemplated? Is it desirable that we should make this great change without more consideration than has been given to the question? It is contended that there should be a great devolution of work from this House to the County Councils, and that the County Councils should be created small

legislative as well as administrative Bodies. Are you prepared to have women on the Councils to take part in discharging duties of this character? I can understand your voting for this proposition if you are prepared to go so far as that, and if you are prepared to go so far as that you must go still further, even to the extent of admitting women to this House. I agree with the hon. Member who spoke from the Treasury Bench that this is a question which ought not to be decided until it has received the very fullest consideration and the very fullest argument, and it is because I believe that the advocates for this large change have not yet made out a sufficiently satisfactory case that I shall vote against the proposal. I did not come here to-night to speak, but the circumstances of to-night are such that I should be wanting in courage if I did not say what I think, even at the risk of offending some of my friends who I know take a very strong view as to the claims of women to participate in public work. I feel bound to support the view presented by the hon. Member for Haggerston, and to vote against the proposition.

*(10.56.) MR. LEES KNOWLES (Salford, W.): I wish, if he will allow me, to congratulate the hon. Member who has just spoken, on the pluck and spirit which he has exhibited. I, too, came here to-night without the slightest intention of saying a word. I try, as a rule, to do my duty in Parliament by working outside rather than inside the House, and my anxiety always is to save the time of the House; but I feel that it is the duty of some of us to speak out now, because, unless we do—unless some of us who are in the habit of holding our tongues do take part in this Debate—a snatch vote will be taken and the country will be deceived, and will think that the Division reflects the true opinion of the House. The hon. Member for St. Pancras justly complains that there has been a conspiracy of silence on the part of the friends of this Motion, and I think that an explanation is due from them to some of us who are opposed to the proposal. Hon. Gentlemen who have supported the Motion have spoken for the briefest possible time, in order, I presume, to take an early Division, and to carry the Motion with as large a majority as possible, before hon. Members are able to return to the House. On this occasion, and perhaps on this occasion only, I agree generally with the views of the hon. Member for Northampton. The hon. Member who introduced the Motion contended that the London County Council was an administrative, and not a legislative Body. Well, I hold that Women's Suffrage is not a domestic and administrative, but a political and legislative question. I should like the hon. Gentleman who introduced the Motion to say whether or not he considers the County Council of London merely an administrative Body? If he replies in the affirmative, I ask him what he says to the fact that the London County Council have dealt with numerous political and legislative questions? They have, for example, discussed abstract Resolutions dealing with the liquor question, the taxation of ground rents, &c. Then, if it is really desirable that women should be elected to County Councils, their election should be made compulsory—so many women should be elected to each Council. But, in my opinion, it is not desirable. It is possible that women may be able to look after children, and the inmates of workhouses, and after the interests of pauper lunatics; but, we must view the duties of County Councillors as a whole. The hon. Member for Hoxton said that there are 23 baby farms in London. But, in London there is a population of more than 5,000,000 persons. Women may be able to deal with babies and children: are they able to deal as effectively as men with grown-up men and women, and with all the questions that come before County Councils? Would a woman elected to a County Council be able to do as much work as a man? If not, then I say this Motion ought certainly not to be carried. We must not look so much to the individual duties as to the general work—to the duties as a whole. Let us remember that for every woman elected, a man, with greater working power, must be kept out. If the duties are such as a man can do, a loss would occur

on the election of a woman On that account alone it would be a disadvantage to have women elected. A Motion of this kind was, if I remember aright, rejected during the consideration of the Scotch Local Government Bill. The Scotch are a hard-headed and long-sighted people, and if they were opposed, so lately as in 1889, to allowing women to have seats on County Councils, and if the Law Courts have determined that, according to the interpretation of the Local Government Act, 1888, women have no right to sit on County Councils, I hold that we ought not now to reverse a decision at which the House has on two occasions recently arrived. The proposal contained in this Motion appears to me to be the insertion of the thin end of the wedge. If we were to grant women the right of election to County Councils, we should inevitably be compelled to take a further step and to give them the right of election to Parliament. Then all kinds of difficulties and complications would arise. If women were elected to Parliament, we might at no distant future have, instead of a Minister, a "Ministress" of War, and I can imagine, on the occasion of some nice international question arising, the Leader of the House apologising for the absence of the lady Minister for War, who at that particular moment was much more interested in a domestic than in a political question. The hon. Member for Northampton, who in so warm and enthusiastic a manner opposed this Motion, alluded to the subject of the property qualification. He, as a Radical, is opposed to property being the basis of qualification for election. I know that there are hon. Members of this House who are in favour of widows and spinsters, who are ratepayers, having votes. It seems to me, however, that if you give widows and spinsters votes you must go a step further, because surely it is unjust that when a woman has obtained the honourable estate of matrimony she should not have equal privileges with, if not greater privileges than, other women. The Motion to-night is the insertion of the thin end of the wedge. I do not see that the County Councils would be improved by the election of women, in fact, I can conceive that such elections would be a disadvantage. For these and other reasons, I certainly shall record my vote most heartily in opposition to the Motion which is now before the House.

*(11.9.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I should very much like to know from the hon. Members who are promoting this reform whether they regard it as a mere farce or whether they regard it as a great constitutional change, which it really would be? I am prompted to ask the question because, from the conduct of the supporters of the Motion this evening, one would really imagine that they were engaged in some light and trivial, almost farcical, matter. Very important and weighty speeches have been made against this proposal. [*Cries of* "No."] Hon. Gentlemen do not think so, but we have a right to our own opinion of the speeches that have been made. Very important speeches have been made against the Motion, one by the colleague of the Mover of the Motion, and another by the Secretary to the Local Government Board, and not one word in reply to them has been vouchsafed. If a Division in favour of the Motion were to be the result of to-night's debate it would be absolutely worthless, having regard to the tactics encouraged by hon. Members opposite; it would be a Division which could not possibly carry with it the smallest weight. Are hon. Members really desirous of treating this subject seriously, and of promoting the reform which they advocate in a constitutional way? If they are, they are certainly not taking the proper means to further their object. This Resolution possesses in more than the ordinary degree all the vices and faults of abstract Resolutions; because hon. Gentlemen opposite have had at least two occasions within the last three years, on which they might have given legislative effect to the principles they now advocate. They made no attempt to do so during the passage of the Local Government Act, 1888. Again, in 1889, the hon. Member for Shoreditch, who now poses as the

champion of women as County Councillors, did not favour the House with any proposal on the subject in connection with the Scotch Local Government Bill. Did any one ever hear of a great constitutional change such as is now proposed being brought forward with less public opinion behind it? There has not been a single woman returned as a County Councillor except in London, which is, of all places the one in which it is least desirable to have women on the County Council, because the County Councils in other parts of the country are of a rural character, and are charged with duties of a more or less rural character, whereas the duties of the London County Council are more like those of a great borough. Let us understand the position of hon. Gentlemen who support this Motion? Are they prepared to extend the principle to Municipal Boroughs? If not, why not? In the Debate on the Scotch Local Government Bill the right hon. Member for Stirling, who admittedly is a man of very broad views, took up the position that if women were to be County Councillors they ought first to be Town Councillors. No doubt, this question has arisen solely out of the fact that certain ladies, in defiance of what was stated to be the law, put up as candidates for the London County Council, and were elected. I am bound to say I do not think that that is a sufficient reason why we should alter the law. Something has been said as to the nature of the duties with which County Councils are entrusted. But may I point out that many City and Borough Councils are entrusted with the same duties, as also are Justices of the Peace in rural districts; and, I may ask, is that a reason why ladies should be elected on County Councils, or appointed as Justices of the Peace? No argument has been brought forward to show that the questions in which women are interested are not properly discussed by County Councils, consisting of men. This Motion is an endeavour to forward the cause of woman suffrage, but this attempt to connect woman suffrage with representation will do incalculable injury to the cause its advocates have at heart. May I also point out that there is nothing to prevent County Councils appointing ladies on Committee which have to deal with matters in which women are especially interested. Hon. Gentlemen opposite are endeavouring to snatch a Division upon a question with regard to which the House and the country are profoundly indifferent, and I trust that the House will not come to a Resolution which would be absolutely valueless for all practical purposes.

(11.23.) MR. W. M'LAREN (Cheshire, Crewe): We are charged with not having taken any part in the Debate. I deny that there has been any desire on our part to snatch a Division. We were anxious to know what arguments could be brought forward against this Motion, and I have not the slightest hesitation in saying that the speech of the hon. Member who moved the Resolution has not been answered. We have been told that speeches of great weight and importance have been delivered in opposition to it, but it seems to me that every speech has been but a repetition of its predecessors, and hon. Members who have spoken have candidly admitted that when they entered the House they either had not made up their minds, or had had no intention of speaking. Therefore, I think we need not attach much importance to their speeches. And when we are taunted with not having raised this question when the English Local Government Bill was under consideration, I can only say that a great number of us believed that the law would enable women to sit as County Councillors. We have been told it was declared again and again that the law would not do so, but one of my colleagues says—and I agree with him—that the point was never raised. We are now endeavouring to reverse the position under the Scotch Local Government Bill, because experience has proved, in the case of the London County Council, that lady members have achieved conspicuous success. Take the case of Miss Cons, who, although only elected by a narrow majority,

has since been chosen to serve on various Committees by an overwhelming majority. The hon. Member for North St. Pancras has been moved to indignation by requests sent to him to support this Motion. But he did not disdain the help of women in his own election. He was willing to send them into the slums for canvassing purposes, and why, I should like to know, does he object to their services on the County Council. We are confronted with the argument that women would replace good men on the County Council. Now we know that the Brixton constituency elected Captain Verney and Lady Sandhurst. Would it have been a loss if Lady Sandhurst had occupied the seat to which Captain Verney was chosen? We believe that the majority of the people would prefer to see women elected on the County Councils; and if the electors of Birmingham, Manchester, Liverpool, or other large towns choses to elect women on the Town Councils there could be no objection to it. As to the argument that the acceptance of this Motion means the thin end of the wedge being inserted and the ultimate election of women to this House, I deny that it is well founded. While I am in favour of women suffrage, I deny that a vote in support of this Motion would mean such an extension of the principle, and I ask the House to set aside that argument altogether.

(11.30.) The House divided :—Ayes 2; Noes 78.

INTOXICATING LIQUORS (IRELAND) BILL.—(No. 34.)

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [15th April], "That the Bill be committed to the Standing Committee on Law, &c."—(*Mr. Lea.*)

Question again proposed.

Debate resumed.

(11.40.) MR. LEA (Londonderry, S.): I said all that was necessary on the previous occasion when this Bill was under consideration, and I will only now add that the promoters of the Bill will be quite willing to accept any reasonable Amendment in Committee. I intend to move that the Bill be referred to the Standing Committee on Law.

DR. TANNER (Cork Co., Mid): I notice that there are on the Paper two Instructions to the Committee, one of which deals with the question of reducing the Licensing Duty proportionately with the reduction in the number of hours for business. Seeing that Ireland is deprived of many of the advantages which accrue to this country in the shape of manufactures, and seeing that the manufacture of spirits is——

MR. SEXTON (Belfast, W.): I rise to a point of order. The Motion before the House is that the Bill be referred to the Standing Committee on Law, and that certain Instructions be given to the Committee. I wish to ask whether the Committee to which the Bill is to be referred should not first be decided on before any Instruction is moved?

*MR. SPEAKER: Order, order! The House must decide what Committee the Bill is to go to before it gives an Instruction, and the Motion now before it is to refer the Bill to the Standing Committee on Law.

MR. SEXTON: I have but just entered the House, and misapprehended the nature of the Motion. What I object to is a Bill of this nature, affecting Irish interests only, being referred to a Grand Committee on which there are only seven Irish Members, especially when the opinion of Members representing Ireland has been so very evenly divided on the question of the Second Reading My experience has been that when Bills relate to only one of the three countries they have been either dealt with by the House itself or referred to a Committee, on which the Representatives of that country can exercise a material, if not a preponderating, influence. For instance, on the Committee dealing with the Irish Estates of the City Companies, out of 11 Members four or five were Irish

Again, in regard to the Bankruptcy (Ireland) Bill, the Committee was composed almost entirely of Representatives from Ireland. But this Bill is to be withdrawn from the cognisance of the House in the Debates in which the 100 Members from Ireland might have considerable influence, and it is to go to a Grand Committee, in which the Irish Members will be, by reason of their infinitesimal representation, placed at a grievous disadvantage. I believe it is a fact that all the Irish Members on this Standing Committee are with but one exception in favour of this Bill; and, therefore, I say it is an absolute injustice to refer the Bill to that Committee. The Bill was supported by 25 Irish Members, and opposed by 31. With the majority so small it is a mockery to refer the measure to a body of 80 Members, of whom seven only are Irish Members, all but one being in favour of the Bill. It may be said that the Committee of Selection have power to add Members. They have power to add 15 Members. I do not suppose they would add 15 Irish Members. At any rate, I am unwilling to abdicate my function as an Irish Member in favour of the Committee of Selection. I claim my right to discuss this Bill here. It is a Bill of details, and not of principles. If you are to discuss it at all effectively you must do so in Committee; and, as far as I can prevent it, I must decline to allow any stage of the Bill to be removed from the purview of the House, and handed over to a body which is at present most unfitted by its composition for the discussion of such a Bill. The Bill strikes particularly at certain cities in Ireland. Those five cities are Belfast, Dublin, Cork, Limerick, and Waterford, and they are represented in this House by 16 Members. Surely it is absurd to suggest that this Bill can be properly considered by a Committee on which not one of these 16 Members has a seat. Surely it is reducing legislation to a mockery to suppose that this is a fair or intelligent method of proceeding by the Bill. I represent an important body of opinion in the City of Belfast; and I decline to be a party to such a novel and unjust proposal as the reference of a Bill concerning the interests of many of those for whom I speak to a body of which the Members from Ireland form a contemptible and helpless minority. I move that the House resolve itself into Committee on the Bill on this day month. I name this day month, because it appears to me from the state of Public Business that there is no probability that the House will be able to spare time for the subject at any earlier period. The Chancellor of the Exchequer has many weighty matters deserving his attention. He has thrown some things overboard, but has still an amount of cargo on board which he cannot dispose of before this day month.

*MR. SPEAKER: As a point of order, I do not think the hon. Gentleman can move to put the matter off for a month. If he will name an earlier day the Amendment can be put.

MR. SEXTON: Of course, Sir, I will move the Motion in any form you consider in order. This day week.

Amendment proposed, to leave out from the word "That," to the end of the Question, in order to add the words "this House do resolve itself into a Committee of the whole House on the Bill upon Tuesday next."—(*Mr. Sexton.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

*(11.52.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN Dublin University): I do not think the hon. Member for West Belfast has made out a case. He has argued that a Bill relating exclusively to Ireland should be referred to a Select Committee; but I would remind the House that the Light Railways Bill of 1889, which related exclusively to Ireland, was referred to the Grand Committee on Trade.

MR. SEXTON: That Bill concerned the Imperial Treasury.

*MR. MADDEN: There was a grant of public money, but that question was

decided by the House. It was not that question, but the details of the Bill, which were referred to the Standing Committee on Trade. It is an answer to the argument of the hon. Gentleman, which was that a Bill relating to Ireland was always referred to a Select Committee and not to a Standing Committee. The case I have cited is an exact precedent for dealing with the present Bill in the way proposed by my hon. Friend opposite. I must say I think, speaking not only on behalf of the Government but also for myself, this is a Bill which may with great advantage be referred to the Standing Committee on Law. The law relating to licensing in Ireland is rather intricate, and the details of the Bill require to be dealt with with extreme care. I think that it is extremely desirable that the Committee to which the Bill is referred should be the Standing Committee on Law. It is true there are not many Irish Members on that Committee; but in the case of the Light Railways Bill a large number of Irish Members were added to the Grand Committee, and I have no doubt that precedent will be followed on the present occasion by the Committee of Selection.

(11.55.) Mr. J. NOLAN (Louth, N.): I wish to direct the attention of the House to the manner in which a very important interest in Ireland is being treated. It has been made perfectly clear that the overwhelming majority of Representatives of three at least of the provinces of Ireland are opposed to this Bill. The measure is pressed forward in this House day after day by two gentlemen, one of whom I believe is an Englishman and the other is a Scotchman, and they are supported by a number of Members who, broadly speaking, represent only one shade of political opinion. To-night a very important step is proposed to be taken in connection with this Bill, and it is proposed to be taken at the fag-end of an Evening Sitting. The hon. Member in charge of the Bill moved the Motion in a speech of a few words, and he only had the opportunity of doing so by some arrangement with an hon. Member on the opposite side of the House. I wish to assure that hon. Member that when he gets another chance of pushing forward the Bill about which he has recently been making appeals to hon. Members he had better avail himself of it, because we shall remember that it was—what I suppose it would not be Parliamentary to call a trick, but—the arrangement between himself and the hon. Member in charge of this Bill that led to this Bill being taken at the fag-end of an Evening Sitting, in the absence of a large number of the Representatives of Ireland who take an interest in the question and have Motions down in reference to it. I am prepared to endorse what the hon. Member for West Belfast has said about the undesirability of referring this Bill to a Committee constituted as is the Standing Committee on Law.

(11.59.) Mr. Lea rose in his place, and claimed to move, "That the Question be now put;" but Mr. Speaker withheld his assent, and declined then to put that Question.

Debate resumed.

Mr. J. NOLAN: There are only seven Members from Ireland on the Committee, and only one who may reasonably be assumed to be in favour of the trade whose interests are affected by this Bill.

Mr. Sinclair rose in his place, and claimed to move, "That the Question be now put;" but Mr. Speaker withheld his assent, and declined then to put that Question.

Debate resumed.

It being Midnight, the Debate stood adjourned.

Debate to be resumed upon Thursday.

House adjourned at five minutes after Twelve o'clock till Thursday.

HOUSE OF LORDS,

Thursday, 28th May, 1891.

JUDICATURE ACTS AMENDMENT BILL [H.L.]

A Bill to amend the Supreme Court of Judicature Acts—Was presented by the Lord Chancellor; read 1ª; and to be printed. (No. 138.)

DRAINAGE AND IMPROVEMENT OF LANDS (IRELAND) BILL.—(No. 96.)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD HERSCHELL: My Lords, in the case of this Bill some noble Lords who are interested in the measure have applied to me to postpone the Second Reading on the ground that a case is now pending, the decision in which is expected shortly to be given, which has a bearing upon the question as regards the liability of the lands of the person who has obtained a loan, that is other lands than those in respect of which or upon which the drainage operations are carried out. I feel that such a decision may of course have an important bearing upon the Bill, although rather perhaps with a view to alterations in Committee than as affecting the principle of the Bill upon Second Reading. However, under those circumstances, I propose to adjourn the Second Reading for a week, as I understand that within that time the judgment will be delivered.

THE LORD CHANCELLOR OF IRELAND: I am glad that my noble and learned Friend has indicated the course he proposes to take on this occasion. There is, as he has mentioned, a very important case pending in the Courts in Ireland, which has been argued twice. The first time, the Court was constituted in the ordinary way by three members; but as it involves very important questions under the Drainage Acts, they wished that it should be re-argued before the full Court of Appeal. A sitting was accordingly held by six members of the Court, presided over by myself, last Sittings, and after being fully argued the case was deferred for consideration. The judgment is now under consideration, and I should think would be given within the next 10 days. I think, therefore, it would be convenient if my noble and learned Friend would postpone the Second Reading of this Bill for some longer term than a week in order to give an opportunity for that judgment to be fully considered.

LORD HERSCHELL: In that case I shall fix next Monday fortnight.

Second Reading put off to Monday, the 15th of June next.

EVIDENCE IN CRIMINAL CASES BILL [H.L.]—(No. 121.)

COMMITTEE.

House in Committee (according to Order.)

*LORD BRAMWELL: My Lords, I was not able to be present the other night when this Bill was before your Lordships for Second Reading, and I should like to take this opportunity of saying that I believe this Bill to be a most desirable measure upon every consideration. Perhaps your Lordships will not be surprised at my expressing that opinion when I say that I have myself three times brought the Bill into this House and your Lordships have been pleased to pass it.

Bill reported without Amendment, and re-committed to the Standing Committee.

POSTAL CARDS.

QUESTION—OBSERVATIONS.

LORD LAMINGTON: My Lords, I beg to ask the question standing in my name which has been put, on two previous occasions, to Her Majesty's Government—whether the Departmental Committee of the Post Office have yet arrived at a decision in respect of cards being allowed transmission through the Post with adhesive halfpenny stamps?

*LORD DE RAMSEY: The noble Lord who would naturally answer this question, being absent, owing, I believe, to the prevailing epidemic, I have to say that the Postmaster General informs me the Departmental Committee in question has made a recommendation upon the subject referred to by the noble Lord,

and that a decision upon that and all other recommendations of the Committee will shortly be arrived at.

House adjourned at twenty-five minutes before Five o'clock, till to-morrow, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Thursday, 28th May, 1891.

PRIVATE BUSINESS.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 7) BILL—(*by Order.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

(3.15.) MR. A. O'CONNOR (Donegal, E.): This Bill relates both to England and Ireland, but I wish to take exception to that part which applies to the town of Killarney. It is proposed, with the consent of the Board of Trade, to obtain a Provisional Order for lighting that district by electricity. Although Killarney has a great reputation for its lakes, its mountains, and its historical ruins, it is but a very small and poor place in itself. It is proposed by this Bill to give to a Mr. Leahy a monopoly of electric lighting, in connection with Killarney, for 28 years. Mr. Leahy is not, I believe, a resident in Killarney, but in the neighbourhood of the town there is a mill which is worked by water power. It formerly belonged to a firm named Leahy, of which this gentleman was not a member, although he was a family connection. Mr. Leahy has, however, obtained a lease of this water power from year to year, and in consequence of possessing it he has proposed to supply Killarney with electric lighting. In the beginning of last year there was a statutory meeting of the Town Commissioners of Killarney to consider a letter from Mr. Leahy, asking for their assent to a Provisional Order for lighting the town. A resolution, giving assent, was carried by five to three, but there was a strong feeling manifested in the town that if electric lighting was to be undertaken it should be in the hands of the Town Commissioners themselves, for the benefit of the inhabitants. Some time afterwards the Board of Trade wrote to the Town Commissioners informing them that an application for a Provisional Order had been made, and asking for their opinion in regard to it; whereupon the Commissioners wrote to object to any concession to Mr. Leahy, and desired that they themselves should become the promoters of a scheme. This occurred in February or March, 1890, and in April a resolution was passed convening a special meeting for the adoption of a statutory resolution, as required by the Electric Lighting Act, and for the rescinding of the resolution passed upon the 17th February in favour of Mr. Leahy's application. The meeting was held, and was adjourned until the 21st of July, when a unanimous resolution was passed rescinding the resolution of February, and a further resolution come to empowering the Commissioners to make an application to the Board of Trade for a Provisional Order on their own behalf. On the 7th of August the solicitor to the Commissioners was instructed to take the necessary steps for obtaining a Provisional Order, and authority was given to expend the local money for that purpose. On the 12th of December a special meeting was called to rescind, if possible, the last resolution, but it failed, and the decision previously arrived at was endorsed. A memorial was accordingly signed and sealed on behalf of the Commissioners, but an extraordinary thing then occurred. On the 29th of January last a special meeting was called, on the requisition of a small number of the Commissioners, for the purpose of dealing with a letter which the solicitor of Mr. Leahy had addressed to the solicitor of the Town Commissioners in reference to electric lighting. That meeting was irregularly called; several members of the Commissioners, including the Chairman, received no notification of it. The Chairman was in Killarney at the time, but as he knew nothing about the meeting, he did not attend it. At the meeting, the Town Commissioners were given to understand that if they proceeded with their applica-

tion they would do so at their own cost and peril; and they were threatened with proceedings, not in connection with electric lighting, but in regard to a rate it was proposed to levy to cover certain liabilities which had been incurred with respect to interest and principal on account of some water works scheme. The Commissioners being badly advised, had, on a previous occasion, been mulcted in costs for a scheme of the same kind, and Mr. Leahy threatened them with similar proceedings if they did not withdraw their opposition to his scheme. The result was that a resolution was adopted instructing the town solicitor to withdraw their application for a Provisional Order, and to support the application of Mr. Leahy. On the strength of that resolution Mr. Leahy proceeded with his scheme, but the people of Killarney are opposed to it, and the Town Commissioners are opposed to it. The resolution was improperly passed at a special meeting irregularly convened, and as it has no effect in law, I ask the Board of Trade to refuse to allow Mr. Leahy's scheme to go on. There is very little need in Killarney for electric lighting at all, and under all the circumstances I hope the President of the Board of Trade will consent to eliminate from this Provisional Order that portion of it which relates to the town of Killarney.

*(3.25.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I do not think the hon. Gentleman has shown that his opposition to this part of the Bill is well founded. It is a Provisional Order to enable electric lighting to be provided for the town of Killarney. Now the town of Killarney is not an ordinary country town, but it is a place that is much resorted to by visitors, and it contains a number of large hotels, which do not exist in an ordinary country town. The application for a Provisional Order was opposed among others by the Chairman of the Town Commissioners, by Lord Kenmare, by 13 persons resident in Killarney, and by the Killarney Gas Company; but with all due respect, my opinion is that the real opposition to the Order comes, not from the inhabitants of Killarney, but from the Gas Company. The Town Commissioners having further considered the subject, withdrew their opposition, and entered into an agreement with Mr. Leahy that if he would pay the expenses they had incurred, they would consent to the Provisional Order, with certain Amendments, reducing the maximum price to be paid and the period during which the concession is to run. That agreement was ratified at a meeting of the Town Commissioners. The hon. Member says that the meeting was irregularly summoned. This is the first I have heard of any irregularity. No complaint has been made to the Board of Trade that the proceedings were not perfectly regular. The Provisional Order, as amended by the agreement, was sent down to Killarney for consideration, and no objection has been made to it. So far from there being any general objection on the part of the inhabitants of Killarney, the only objectors are the Gas Company, and not a single Petition has been presented against the Provisional Order. I therefore trust that the House will not take the unusual course of refusing to read the Bill a second time. If the matter requires further inquiry, the proper tribunal to investigate it will be a Select Committee; and I shall not have the smallest objection to the reference of the Killarney portion of the Order to a Select Committee, who can inquire into it in the ordinary way.

(3.30.) MR. A. O'CONNOR: An inquiry before a Select Committee would involve a serious expense, and would entail a heavy burden upon the inhabitants. I would ask the right hon. Gentleman to allow this part of the Order to stand over for a few days, in order that the people who are interested in it may be communicated with.

*SIR M. HICKS BEACH: I see no reason for deferring the Bill. After the Second Reading there will be ample opportunity for consideration.

Question put, and agreed to.

NEWFOUNDLAND FISHERIES BILL [LORDS].

Ordered, That the Petition from the Legislative Council and House of Assembly of Newfoundland in Session convened, presented on Tuesday last, praying that one of their Delegates may

be heard at the Bar of the House against the Bill, be read.—(*Mr. Staveley Hill.*)

The said Petition was read.

Ordered, That Sir William Vallance Whiteway, K.C.M.G., one of the Delegates, be heard at the Bar in compliance with the said Petition.

QUESTIONS.

THE OPIUM TRADE IN BRITISH INDIA.

MR. MARK J. STEWART (Kirkcudbrightshire): I beg to ask the Under Secretary of State for India whether the Memorial presented to the Secretary of State for India by a deputation from the Society for the Suppression of the Opium Trade, on the 30th July, 1890, with regard to the retail sale of opium and other drugs in British India, has been forwarded to the Government of India; and whether any reply from the Government of India has yet been received; and, if not, whether he will inquire how soon such reply may be expected?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): Yes, Sir; the Memorial was sent by the Secretary of State to India last August. No reply has been received, but the Secretary of State will remind the Government of India of that fact.

WOUNDING A POLICE SERGEANT.

SIR E. REED (Cardiff): I beg to ask the Secretary of State for the Home Department whether he is aware that, with regard to the sentence passed at the Assizes held at Swansea in August last on William Evans, one of the Glamorganshire Constabulary, who was convicted of feloniously wounding Sergeant Martin, and sentenced to 15 years' penal servitude by Lord Chief Justice Coleridge, Memorials signed by a large number of persons of all classes have been presented from Cowbridge, the Vale of Glamorgan, Cardiff, and Pembrokeshire, of which county William Evans is a native, as well as from the Joint Police Committee of the County of Glamorgan, in favour of a mitigation of the sentence; and whether another Memorial to the same effect has been recently presented, which has been signed by 10 of the jurymen who tried him, one of the jurymen who did not sign it having left the country, whilst the other cannot be found; if so, whether, considering this widespread and deep feeling in Glamorganshire and Pembrokeshire regarding the punishment inflicted on William Evans, he will recommend Her Majesty to reduce the sentence?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I have received Memorials relating to the case of William Evans in favour of a mitigation of the sentence passed on him. The prisoner was convicted of a savage and brutal crime, namely, gouging out the eye of a man, against whom he had reason to entertain a grudge. For this offence a sentence of penal servitude was certainly not improper, and it is too soon to consider whether any, and, if so, what, abridgment of the term may hereafter be allowable.

VALUE OF THE ROUBLE.

MR. TALBOT (Oxford University): I beg to ask the Under Secretary of State for Foreign Affairs whether representations have reached the Foreign Office from Consular Officers in Russia, calling attention to the hardship they suffer from the increased value of the rouble, and the increased price of provisions in that country, whereby the incomes of residents have been practically diminished; and whether the Foreign Office can hold out any hopes of being able to remedy the grievances complained of?

SIR J. GORST (for Sir J. FERGUSSON): Some of the Consular Officers in Russia have complained of the increased value of the rouble. Fluctuations in the rate of exchange affect diplomatic and consular salaries in all parts of the world, and it is impossible to provide against them.

INLAND REVENUE, EDINBURGH.

MR. FRASER-MACKINTOSH (Invernessshire): I beg to ask the Secretary to the Treasury whether the remuneration of the clerks in the Department of the Solicitor of Inland Revenue, Edinburgh, is inferior to that in similar Departments in London and Dublin; whether the Edinburgh clerks have memorialised the Treasury without satisfaction; and whether, if moved for, he will grant a Return of all Memorials, Reports, and Correspondence relating to

the reorganisation of the Departments of the Solicitors of Inland Revenue for England, Scotland, and Ireland respectively, passing between the Solicitors and clerks in said Departments, the Commissioners of Inland Revenue, and the Lords of the Treasury from 1887 to the present date, also of the Report, dated 17th September 1889, of the Treasury Committee on the Departments of the Customs and Inland Revenue Solicitors in London, and Minutes of Evidence taken by the Committee?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The Treasury cannot recognise a claim to increased salary in Scotland which rests solely on the ground that analogous duties are more highly remunerated in England or Ireland. The salaries of the Solicitors' staff in Edinburgh have been compared with those paid in other legal Departments in that city and in the offices of private Solicitors, and the Treasury is satisfied that when judged by this standard the applicants have no good ground of complaint. As regards the future, clerks employed by the Inland Revenue Solicitors in London, Edinburgh, and Dublin will be paid from a lump sum intrusted to the Solicitor for clerk hire, and at such rates as he may consider adequate to their services. I cannot consent to produce the Departmental correspondence relating to the organisation of these Departments.

TRANSATLANTIC CATTLE TRADE.

MR. CHANNING (Northampton, E.): I beg to ask the President of the Board of Agriculture whether the Board has considered the Report and the recommendations of the Departmental Committee as to the Transatlantic cattle trade; and whether he proposes this Session to bring in a Bill to enable the Board of Agriculture to carry out, so far as possible, any or all of the recommendations of the Committee?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): I have considered the Report and recommendations of the Departmental Committee upon the Transatlantic cattle trade, and I propose to ask the leave of the House to introduce a Bill to enable the Board of Agriculture to give effect to those recommendations, or such part of them as may appear to be desirable, in the course of a few days.

THE TOWER WHARF.

MR. MONTAGU (Tower Hamlets, Whitechapel): I beg to ask the Secretary of State for War if he has sanctioned the following regulations for the admission of the public to the riverside walk at the Tower of London:—That the public must enter and leave only by the Barrier Gate, Tower Hill; that persons must be properly dressed; that the hours of admission be on Saturdays from 10 a.m. till half an hour before sunset, and on Sundays from 2 p.m. till half an hour before sunset; whether he will facilitate locomotion by allowing the public also to pass in and out of the East Gate, near the New Tower Bridge; whether he will remove the restriction as to dress, which is not prescribed in the regulations for admission to Kensington Gardens; and whether, in consideration of the admission being restricted to about half a day on Sundays, he will admit the public also on Wednesdays, or some other week day?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I presume that by the "Riverside Walk" the hon. Member alludes to the "Tower Wharf," which may at any time be required for the Public Service, and which, of course, we retain the right of closing when necessary. The regulations in question have been approved by Her Majesty, and I would observe upon them that the rule as to persons being properly and decently dressed is one which is obviously necessary in this and in all similar cases. I am informed that the opening of the east gate would not benefit any resident population. I may say that I do not want to facilitate locomotion as the hon. Member proposes, but to make such use of the open space for the benefit of the resident population in the neighbourhood as is consistent with the requirements of Public Service. Practically the wharf is also open to the public on Mondays, and I see no reason to recommend any further extension.

GENERAL REGISTER OFFICE, SCOTLAND.

MR. LENG (Dundee): I beg to ask the Lord Advocate whether, from March

1873 to the 1st April, 1891, the fees for the registration of deeds at the General Register Office discriminated in favour of persons acquiring properties under £500 in value, being a large majority of those registering deeds from the small towns and villages in Scotland; whether, since the 1st April last, a new table of fees has been adopted, under which the charges have been raised on properties under £500 and up to £2,000, while beyond £2,000 a saving is effected; why the charges on small properties have been increased while they have been reduced on large properties; and whether he will recommend that the charge made on properties under £500 be restored as it was prior to the 1st April?

*A LORD OF THE TREASURY (Sir H. MAXWELL, Wigton) (for The LORD ADVOCATE): Yes, Sir; a new Table of Fees came into force on the 1st April last, in conformity with the recommendations of a Committee, who made special inquiry into the subject. So far as it has been yet tested the Table is believed to give general satisfaction. The principle on which it is based is to establish a fixed fee for registration, instead of a sliding scale, thus doing away with the necessity of a certificate of value, which, under the old system, necessitated an expense of 6s. to the applicant. The lowest scale of registration fees has now been adopted for all properties alike.

PATENTS AND DESIGNS.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the President of the Board of Trade if he can state how many appeals there were in 1890 against the decision of the Comptroller of Patents and Designs as to the acceptance or refusal of registration of a trade mark, and how many of these were referred direct to the Court instead of being heard by the Board of Trade; and if, in these cases, he will consider the propriety of having the fee charged on lodging an appeal to the Department, returned to the appellant?

*SIR M. HICKS BEACH: During the year ended 31st December, 1890, there were 43 appeals against the decision of the Comptroller refusing to register a trade mark. Of these, 25 were referred to the Court and 18 heard by the Board of Trade. I am not prepared to direct the return of fees paid under the circumstances mentioned in the last paragraph of my hon. Friend's question. Only £1 is charged, and a considerable amount of work has to be performed in connection with such appeals before they are referred to the Court.

SUMMARY JURISDICTION (JUVENILE OFFENDERS) BILL—SCOTLAND.

*MR. SHIRESS WILL (Montrose, &c.): I had intended to ask the Lord Advocate whether, in view of the provisions of the Summary Jurisdiction (Juvenile Offenders) Bill, now pending in this House, he will lay upon the Table of the House a Copy of any rules or regulations now in force in Scotland for the whipping of juvenile offenders, whether sanctioned by the Lord Advocate as required by "The Prisons (Scotland) Act, 1860," or otherwise; and whether, under the Act of 1862, relating to the whipping of juvenile offenders (25 and 26 Vict. cap. 18), there is any authority for the whipping of such offenders in Scotland between the ages of 14 and 16? In the absence of the right hon. and learned Gentleman, I have been requested to postpone the question for a week.

ARMY PENSIONS.

MR. R. SPENCER (Northampton, Mid): I beg to ask the Secretary of State for War whether a man at the end of 21 years' service, if this period is made up of some years of Army service and some on Reserve, is entitled to a pension of 10d. a day; and whether the pension claimed by William Nolan, of Roade (late of Floore), in Northamptonshire, has been withheld from him; and, if so, for what reason?

*MR. E. STANHOPE: Service in the present Reserve does not count towards pension unless the Reservist be recalled to active duty; but service for two years in the Army Reserve created by the Act of 1859 did count as one year towards the 21 years' service required to qualify a private for the maximum pension of 10d. a day. William Nolan would have earned pension under this rule; but from 1857 to 1889 he was employed as a labourer in the Ordnance Store Department, for which service he was awarded

a superannuation of £26 8s. 4d. a year, instead of the smaller pension of £15 4s. 2d. which he might have had for his Army service; and, of course, he cannot draw both pensions.

THE NEW ART GALLERY.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the Chancellor of the Exchequer whether any correspondence between the Treasury and the Science and Art Department exists relating to the proposed grant for a new Art Gallery on land bought for scientific purposes, and on which buildings in use by the students of the Royal College of Science already exists?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): In reply to the hon. Member, I have to state that no such correspondence exists.

DR. FARQUHARSON: May I ask whether the House is to understand that in a matter of the highest importance, affecting the teaching of science in the Royal College of Science at South Kensington, no opportunity is to be given to the scientific officers of the Science and Art Department, who are responsible for that teaching, to express their views?

MR. GOSCHEN: That was not the question of the hon. Member. His question was whether there was any correspondence on the subject. If the hon. Member will ask for information, I will endeavour to give it. There has been no correspondence; but I may say that the representatives of the Department were present when the ground was examined and the matter was gone into.

DR. FARQUHARSON: If there has been no correspondence, in what way have the views of these scientific gentlemen been taken?

MR. GOSCHEN: The Minister who is responsible for the Department communicated with these gentlemen.

DR. FARQUHARSON: Who is the Minister responsible for the Department?

MR. GOSCHEN: I thought it was well known that the Lord President of the Council is at the head of the Science and Art Department.

DR. FARQUHARSON [amid cries of "Order!"]: May I ask if there is any representative of the Lord President in the House who can give any information on the subject?

MR. GOSCHEN: If the hon. Gentleman asks for information, I will give it. He asked if there was any correspondence, and I said there was not. But I may tell him that representatives of the Department were present when the ground was examined and the matter gone into.

DR. FARQUHARSON: I will put a further question on a later day.

BRITISH AND FOREIGN VESSELS—CLASSIFICATION.

MR. FURNESS (Hartlepool): I beg to ask the President of the Board of Trade if he is aware that English ships, classed at Lloyd's, are being sold to foreign owners, and that under such new ownership they are loading in United Kingdom ports and elsewhere deeper than they were allowed when owned by British subjects, and that notwithstanding their classification in Lloyd's Register of British and Foreign Shipping still continues; seeing the Board of Trade have constituted Lloyd's Committee the principal authority in this country to assign freeboards on their behalf, will he use his influence with the Committee with a view to inducing them to refuse their classification to all ships which do not agree to have a freeboard assigned; and will he instruct the Board of Trade detaining officers at ports in the United Kingdom to treat British and foreign vessels perfectly alike as to overloading, in accordance with the provisions of "The Merchant Shipping Act, 1876?"

*SIR M. HICKS BEACH: I am not aware to what extent English ships classed at Lloyd's are being sold to foreign owners, but the Board of Trade are quite alive to the importance of preventing evasion of the law by means of such transfers, and so far back as 1888 I issued instructions to the detaining officers as follows:—

"When a British ship is transferred to a foreign flag and loads more deeply in a port in the United Kingdom while under the foreign flag than she had previously been allowed when under the British Flag, it will be the duty of the principal officer to detain her on receiving a Report from the surveyor, and it will be the duty of the surveyor to report all such cases as come under his notice."

The Board of Trade are only authorised to interfere with the loading of foreign ships in ports of the United Kingdom when such ships are unsafe by reason of overloading or improper loading. The Board of Trade are directed by the "Merchant Shipping Act, 1890," to appoint Lloyd's Registry as an authority to approve the position of load line discs, but the Board are not authorised to interfere with the conditions under which that Registry undertake the classification of foreign ships. The Merchant Shipping Act of 1890 (which is the latest enactment on the subject) does not contemplate British and foreign vessels being treated perfectly alike with regard to load line, inasmuch as the evidence necessary to authorise the detention of a vessel for overloading cannot, in the case of a foreign ship, be so easily obtained as in the case of a British vessel, which has a load line disc marked on her side; but it is my intention, as far as possible, to apply the provisions of the Act of 1876 with regard to over and improper loading in ports of the United Kingdom to foreign as well as to British ships, subject to the provisions of Section 4 of the Act of 1890.

VOLUNTARY SCHOOLS.

MR. SUMMERS (Huddersfield): I beg to ask the Vice President of the Committee of Council on Education whether he can inform the House what is the number of voluntary schools in England and Wales without any voluntary subscriptions; and what is the number of such schools in which the voluntary subscriptions do not exceed £10 per annum?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The hon. Member appears to be unaware that a Return was recently presented to Parliament on the Motion of the right hon. Member for Sheffield, which gives the particulars mentioned in the Question for every school in England and Wales; and if he has time to examine the Returns carefully, he will see that such schools bear but a very small proportion to the total number. I may add that it would be misleading to publish a summary of this information, as in many cases endowments take the place of voluntary subscriptions, and subscriptions themselves vary from year to year, in accordance with the needs of schools.

MR. SUMMERS: Is the right hon. Gentleman aware that the Returns show that there are 500 voluntary schools without any contribution, and that the majority are without the slightest contribution? Will the right hon. Gentleman see that an analysis of the Returns is made?

*SIR W. HART DYKE: It appears from the hon. Member's statement that he has analysed the Return for himself.

MR. SUMMERS: As the subject is of great importance in connection with the Education Bill, I hope the right hon. Gentleman will have the analyses submitted to Parliament.

HALF-TIMERS.

MR. ELLIOTT LEES (Oldham): I beg to ask the Vice President of the Committee of Council on Education whether he can now state the difference in the percentage of passes obtained by half-timers between 10 and 12 years of age, as compared with the percentage of passes obtained by full timers between those ages?

*SIR W. HART DYKE: In schools examined in the Rochdale district during a fixed period it appears that the percentage of passes in the 3rd Standard was 81 against 75 in the case of half-timers between 10 and 12; in the 4th Standard 89 against 81; and in the 5th, 84·7 against 76·7, showing a balance against half timers of 8 per cent. A comparison made in one typical school in Bradford shows very similar results, the percentage being 98·2 against 90·2 in the case of half timers between 10 and 12.

MR. SUMMERS: I beg to ask the Vice President of the Committee of Council on Education whether there are any boroughs or parishes that have no standards of half-time and full-time exemption, and that exercise compulsion only between the ages of 5 and 10; and if so, what is their number; and whether there are any boroughs or parishes where the standard of half-time exemption is as low as the first, and the standard of full-time exemption lower than the fourth?

*SIR W. HART DYKE: (1) There are 29 parishes where compulsion prevails only between 5 and 10 years of

age; (2) There are five parishes where Standard III is the standard for total exemption, and no standard for partial exemption exists; there are two parishes where Standard III. and II. prevail for total and partial exemption respectively; there are nine parishes where no standard for total exemption prevails, but which adopt a standard for partial exemption (8 Standard IV., 1 Standard V.); there is one parish which compels attendance right up to 13 years of age, and allows of no exemption, whole or partial; (3) There are 25 parishes which have Standard I. for partial exemption. These are remains of old bye-laws adopted before 1880. The Department has no power to compel their revision, although every effort is made to induce the School Authorities to raise the standard, as occasion offers.

MR. SUMMERS: Will the right hon. Gentleman publish the names of the parishes?

*SIR W. HART DYKE: I should have no objection, but the information is already given in the Return which was made last year.

THE CAPITATION GRANT.

SIR G. CAMPBELL (Kirkcaldy, &c.): I beg to ask the Chancellor of the Exchequer whether, in the event of Parliament voting the necessary funds, any legislation would be necessary to enable the Education Department to increase the Capitation Grant to aided schools, on condition that up to certain standards or ages the teaching is free of charge?

MR. GOSCHEN: In reply to the hon. Member, Her Majesty's Government do not consider that it would be possible to carry out a scheme such as that suggested in his question without legislative enactment.

MASHONALAND.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for the Colonies whether all Her Majesty's subjects have free ingress into Mashonaland and a right to reside in that territory; whether, if the Chartered Company of South Africa insists upon them signing a declaration that they will obey the laws of that company as a preliminary to ingress or residence, it is intended to take any steps to oblige the company to rescind any such regulation; whether he can state to whom the land belongs in Mashonaland, and whether the Chartered Company of South Africa have acquired any rights to its possession; and, if so, from whom; and whether the so-called concessions of Mutassa to the Chartered Company have been approved of by Her Majesty's Government; and, if not, by what right the Chartered Company exercises any sovereignty or power in Manicaland?

*THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallamshire) (for Baron H. de WORMS): Lobengula has allowed the British South Africa Company free ingress into Mashonaland, and the right to carry on operations in that territory, but no such right has, as far we are aware, been given to persons not working under the company. As regards the second question, Her Majesty's Government do not know that this requirement has been insisted upon in the case of British subjects or others recognising the company's authority. The Charter requires the British South Africa Company—

> "To preserve peace and order to the best of its ability in such ways and manners as it shall consider necessary, and with that object."

empowers it to make ordinances. It is not proposed, therefore, to oblige the company to rescind any regulation of the nature referred to. It has been admitted that Lobengula has a control, as Paramount Chief, though he probably has not the sole ownership of the lands in Mashonaland, and it is understood that the British South Africa Company has not acquired any specific rights to the possession of these lands; but it is in occupation of Mashonaland with the consent both of Lobengula and of the minor Chiefs. Her Majesty's Government have not expressed any final opinion upon Mutassa's concessions. The company exercises authority in any part of Manicaland, which lies within the sphere of British protection by virtue of the Charter, as I have stated in answer to the second question.

MR. LABOUCHERE: Is the hon. Gentleman aware that the Charter specifically states that the Company can only exercise the rights they have acquired over this territory through the permission of Lobengula, and that Manicaland is admitted to be not in

Mashonaland, whether it is under British protection or not? Am I to understand, from the answer of the hon. Gentleman, that Mashonaland is the only portion of Her Majesty's dominions which a British subject may not enter without first signing a specific undertaking to obey certain laws and regulations?

*MR. STUART WORTLEY: The Charter speaks for itself. The question of the hon. Member appears to me to be a highly argumentative one, and should be made the subject of Notice.

ELEMENTARY SCHOOLS.

MR. MORRELL (Oxford, Woodstock): I beg to ask the Vice President of the Committee of Council on Education whether, in 1850, in view of elementary schools being erected by religious bodies with grants in aid from the Committee of Council on Education, the Committee of Council then stated that they had effectually provided already that the declaration of trust should be so specific as to preclude the possibility that a school founded in connection with any religious body should lose its distinctive character in consequence of the receipt of such grant in aid; whether many promoters of such schools accepted grants of public money on these terms; and whether, in the face of more recent legislation, these trust deeds still stand as effective (except so far as the "management" and "conscience" clauses affects them) securing for these schools, notwithstanding the fact that they were erected out of such joint funds, their distinctive character?

*SIR W. HART DYKE: There is nothing, so far as I am aware, in recent legislation to disturb the position of denominational schools, as secured to them by the declaration of trust to which my hon. Friend refers, apart, of course, from the obligation imposed by the conscience clause.

COUNTY COUNCIL ELECTIONS.

MR. CAUSTON (Southwark, W.): I beg to ask the President of the Local Government Board when the Bill postponing the County Council elections to January will be introduced?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I hope to be able to introduce the Bill postponing the County Council elections in a few days, but I take the opportunity of saying that, though January was no doubt the time to which I previously stated we proposed to postpone the elections, I have received a great many representations that the month of March would be more acceptable. We, therefore, propose to put the month of March in the Bill instead of January.

POSTMASTERSHIP OF HALLATON.

MR. LOGAN (Leicester, Harborough): I beg to ask the Postmaster General whether the post of sub-postmaster at Hallaton, near Uppingham, has been vacant since the 20th of April, owing to the death of the late sub-postmaser; whether he has been informed that great inconvenience is caused to the inhabitants of Hallaton by reason of the nearest money order office now available being Uppingham, distant six miles; and whether he will take steps to have the new appointment made as soon as possible?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): I am aware of the vacancy at Hallaton, and have asked the Lords of the Treasury, with whom the nomination rests, to name a successor. No representation from the inhabitants of Hallaton as to inconvenience caused by the temporary closing of the office has reached me, and the hon. Member may rest assured that no time shall be lost in re-opening the office when a suitable person for appointment as sub-postmaster has been nominated by their Lordships.

UNESTABLISHED POSTMEN.

MR. FURNESS: I beg to ask the Postmaster General whether his attention has been called to the case of the unestablished postmen who have no Sunday relief such as the established postmen have; and whether he will take into consideration the desirability of placing the unestablished postmen on the same footing as the established postmen so far as Sunday relief and stripes are concerned?

*MR. RAIKES: I am not aware of any case in which postmen who are fully employed, whether established or unestablished, have not received Sunday relief. If the hon. Member knows of any case, however, and will give me the

particulars I will make inquiry on the subject. Good conduct stripes are only conferred upon postmen belonging to the Establishment.

CANADIAN MAILS.

MR. JOHNSTON (Belfast, S.): I beg to ask the Postmaster General whether he is aware that considerable dissatisfaction exists in Canada in consequence of mails not now being sent by the Allan steamers; and whether there is any prospect of an early renewal of the direct transmission to Canada of postal communications from the United Kingdom?

*MR. RAIKES: I have not received any intimation that dissatisfaction exists in Canada on account of mails not being at present sent by the Allan Line of steamers. Since the termination of the Canadian Government contract, last month, the mails for Canada have been regularly forwarded twice a week, *vid* New York, by the British Contract Packets; and they have no doubt reached their destination as quickly as they formerly did when sent by the Allan Line. Proposals have been made to my Department by the Allan Company to carry mails by their direct steamers, and my hon. Friend may rest assured that they shall receive my careful consideration.

UNITED STATES COPYRIGHT ACT.

SIR A. ROLLIT (Islington, S.): I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government has communicated with the Government of the United States, with a view to securing for English authors and composers the benefit of the new American Copyright Act, as from the 1st July, 1891; and whether Her Majesty's Government propose to introduce a Bill, giving similar rights in the United Kingdom to American authors and composers, if the latter are not already sufficiently protected?

SIR J. GORST (for Sir J. FERGUSSON): Her Majesty's Inspector at Washington has been directed to make inquiries on the subject, and it is understood that a Circular will shortly be addressed by the United States Government to foreign Powers respecting the application to them of the new Copyright Act. Her Majesty's Government propose to await the receipt of this Circular before considering what steps should be taken in the matter.

CERTIFIED COPIES OF THE COMPANIES' ACTS.

MR. LENG (Dundee): I beg to ask the Attorney General whether Limited Liability Companies in the United Kingdom could obtain, until recently, from Messrs. Eyre and Spottiswoode, the Queen's Printers, certified copies of the Companies' Acts for production in foreign Courts of Law, without any charge for the certificate; whether the granting of such certificates has been subjected to a charge, by an official in the Parliament Office, of a guinea for certifying each Act, and 10s. 6d. for every 100 folios, bringing up the total for a set of the Companies' Acts to about £25; whether there is any reason for imposing this new charge on public companies; whether such fees are excessive; and whether he will give instructions for a more moderate scale of fees to be adopted?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): The answer to the first paragraph of the question is in the affirmative. With reference to the second paragraph, the change in the practice was instituted because it was considered that, inasmuch as the Lord Chancellor has to affix the Great Seal to the Act in question, this step should only be taken upon the certificate of the Clerk of Parliaments, who is the official custodian. The fees are paid to the Treasury, and no part is paid to, or are the fees any perquisite of, the gentleman named in the question. So far as my opinion is of value, I do not see that the fees are in any way excessive. There is no obligation to obtain certified copies. Any foreign Court may, if it thinks fit, be satisfied with a copy printed by the Queen's Printers, in the same way as our Courts accept an Act so printed.

IMMIGRATION OF DESTITUTE FOREIGNERS.

MR. JENNINGS (Stockport): I beg to ask the First Lord of the Treasury whether, considering the recent considerable increase in the number of destitute foreigners arriving at English ports, the Government will take into consideration the expediency of adopting regulations similar to those which are in force in the

United States and other countries, with a view to placing reasonable restrictions on the importation of foreign paupers, who disorganise various branches of the labour market in this country, and inflict great injury on native workmen?

MR. DARLING (Deptford): I beg also to ask the First Lord of the Treasury whether his attention has been called to the recent landing in London of large numbers of indigent aliens; and whether, having regard to the fact that it has been found necessary to encourage English labourers to emigrate, the Government will consider the advisability of enacting laws such as those now in force in the United States for preventing the importation of persons likely to become a charge upon the people of this Kingdom?

MR. O. V. MORGAN (Battersea): I beg further to ask the First Lord of the Treasury whether he is aware that foreign labourers are arriving in this country in increased numbers, and whether Her Majesty's Government are prepared to introduce legislation on the subject at least as stringent as that existing in the United States of North America, the Dominion of Canada, and the Australian Colonies?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The whole subject of the immigration of destitute foreigners is receiving the very serious attention of Her Majesty's Government, but it does not appear that the immigration has materially increased beyond the point it had reached when it was considered by the recent Committee, which did not recommend immediate measures. Considerable difficulty surrounds the question. The right of asylum in this country as regards political refugees has always been maintained, and restrictions upon the immigration of foreigners who may be supposed to be destitute would involve legislation which would require to be very carefully guarded in order to prevent greater evils than those against which it might be directed. Regard also must be had to the fact that there is a considerable emigration of Englishmen to the Continent where they find profitable employment; but, I repeat, the subject is a grave one deserving of careful consideration.

MR. CREMER (Shoreditch, Haggerston): Are the Government in possession of authentic information in regard to the number of persons who arrive from foreign countries and remain here, and as to the percentage of those who leave this country for the United States or other parts of the world? It is right that I should state that one of the recommendations of the Committee, to which the right hon. Gentleman has referred, was to the effect that information of that kind should be collected by the Government and placed at the disposal of the country. Will the Government carry out that recommendation and give the information?

*SIR M. HICKS BEACH: My right hon. Friend has asked me to answer the question. Steps have been taken to obtain such information. Some of it has already been presented to Parliament, and from time to time further information will be given.

THE FREE EDUCATION BILL.

SIR LYON PLAYFAIR (Leeds, S.): I beg to ask the First Lord of the Treasury on what day the Bill for Free Education will be introduced and read the first time?

*MR. W. H. SMITH: I hope to be able to state on Monday next the day on which the Bill will be introduced, provided the Land Purchase Bill does not occupy more than a reasonable time on Report in this House.

CHILD LABOUR.

MR. SUMMERS: I beg to ask the First Lord of the Treasury whether he is aware that on March 24th, 1890, Sir John Gorst applied to Lord Salisbury for permission to vote in the Labour Conference at Berlin in favour of the proposal to raise the minimum age of child labour to 12 years; whether he is aware that such permission was granted by Lord Salisbury on March 26th, and that the British delegates voted accordingly in favour of the proposal which was adopted by the Conference; and whether it is the intention of the Government to introduce legislation carrying out the recommendations of the Conference on this subject?

*MR. W. H. SMITH: The answer to the first two questions is in the affirma-

tive. The subject is one which it is not possible to deal with this Session.

MR. PICTON (Leicester): May I ask whether there was not an understanding in the Conference that Her Majesty's Government would favour such legislation?

*MR. W. H. SMITH: I am not aware of any such understanding.

MR. SUMMERS: I would invite the right hon. Gentleman to state what course the Government are prepared to take in regard to the Amendments on the subject which stand upon the Paper. Will he accept such Amendments in accordance with the recommendation of the Berlin Conference?

*MR. W. H. SMITH: The hon. Gentleman is aware of the attitude which the Government took in the Standing Committee on the matter. When the Amendments are reached, my right hon. Friend will state the course which the Government are ready to take.

*MR. ELLIOTT LEES: Can the right hon. Gentleman state whether Germany herself has taken any action in consequence of the recommendations of the Berlin Conference?

*MR. W. H. SMITH: I cannot charge my memory with the exact reply I gave some days ago. I will ascertain, if the hon. Member will repeat the question.

THE LABOUR COMMISSION.

MR. O. V. MORGAN: I beg to ask the First Lord of the Treasury whether, in consequence of the great interest felt throughout the country in the question of labour, he will arrange that Members of Parliament shall be regularly supplied with verbatim reports of the evidence to be given before the Labour Commission; and whether he will also arrange that the public may be able to purchase copies of the evidence in the same way as Parliamentary Papers are usually supplied?

*MR. W. H. SMITH: I will communicate with my noble Friend at the head of the Commission and ask what course he can take in the direction which the hon. Member suggests.

HOWTH HARBOUR.

MR. CLANCY (Dublin County, N.): I beg to ask the Secretary to the Treasury whether his attention has been directed to a memorial to the Irish Board of Works, signed by 200 of the inhabitants of Howth, including the Right Hon. Lord Justice Fitzgibbon, Mr. Justice Boyd, the Catholic and Protestant clergymen of the locality, and all the other leading residents, in reference to the condition of that harbour; whether the Memorial referred to has yet received an answer; and, if not, why; and whether, in accordance with the prayer of that Memorial, a further sum will be set apart for completing the dredging of the harbour?

MR. JACKSON: Yes, Sir, I have seen the Memorial referred to, and, as I have previously stated to the House, the question has been considered. I do not think there would be any justification for setting aside a further sum for the dredging of the harbour.

DUBLIN BOARD OF WORKS.

MR. CLANCY: I beg to ask the Secretary to the Treasury whether the labourers and artisans in the employment of the Board of Works in the County and City of Dublin are paid less than the ordinary rates of wages at present prevailing in that district for those two classes of workmen respectively; and, if so, whether he will direct that the wages of the *employés* of the Board of Works referred to be increased, so as at least to make them equal with the wages paid by private firms?

MR. JACKSON: I have not been able to get this information. I hope the hon. Gentleman will put the question again.

MR. CLANCY: I will repeat it on Monday.

ARTISANS' HOURS OF LABOUR.

MR. CLANCY: I beg to ask the Secretary to the Treasury whether the labourers and artisans in the employment of the Board of Works in the County and City of Dublin are, unlike the *employés* of the chief private firms of the metropolitan county and city, kept at work the whole of Saturday; and, if so, whether he will direct that they be allowed, like the *employés* of the private firms referred to, a half-holiday on that day in every week?

MR. JACKSON: I am informed that the labourers and artisans in the employment of the Board of Works in Dublin leave work on Saturday at a quarter

past 1 if their work is within the city, and at 1 o'clock if without the city. Those employed at Kingstown and at Howth have no Saturday half-holiday.

MR. SEXTON (Belfast, W.): Why is there any difference made between those who are employed in the city and those who are employed in the outskirts?

MR. JACKSON: I am not aware of any reason, unless there is something special in the nature of the employment which necessitates those employed in Kingstown being there during the whole of the day.

MR. SEXTON: Will the right hon. Gentleman make inquiry?

MR. JACKSON: Yes, Sir; I have no objection to do so.

FLOODS IN BELFAST.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the disastrous floods in Shore Street, Weaver Street, and Millwater Street, in the City of Belfast, in the year 1888, and also in 1889, caused by encroachments and obstructions in the course of the Millwater River within the city boundary, and the statement of the Town Clerk of Belfast, amounting to the announcement that unless the Corporation own property in the district affected, it cannot take any steps to prevent parties encroaching upon or altering the courses of streams or rivers within the city boundary, and in flooding the houses of the inhabitants, to the danger of life and destruction of property; who the parties are to whom, as the Corporation state, they have "made representations"; and who, as stated by the Town Clerk, have "agreed to remove the cause of complaint"; what is the nature of the works stipulated or agreed to be done for this purpose; and, when such agreement was entered into, and at what date it is to be carried out and completed?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Town Clerk of Belfast reports that the parties to whom the Corporation recently made representations on the subject mentioned were Messrs. John Thompson, Robert J. McConnell, and William H. McLoughlin, the owners of the property adjoining the altered portion of the watercourse. The Corporation are informed that these owners, with others who are interested in the water rights, have agreed with a contractor to carry out works consisting of a widened and improved channel for the water course, with side walls and pitched foundation and slopes. The Corporation do not know the date of the agreement; but have been informed that the works will be completed in about three months.

POSTAGE OF REGISTRATION FORMS.

MR. JORDAN (Clare, W.): I beg to ask the Postmaster General whether he has received any communication from Mr. Wilson, clerk of the Enniskillen Union, in reference to overcharge on the delivery of (A) requisition forms, under "The Registration Act, 1885"; whether unstamped forms have been charged double postage as alleged; and whether, as the Returns are mandatory and the Statute penal, he will make arrangements, under all the circumstances, to have those necessary legal forms delivered to the clerk of the Union free, or at the usual single postage rate?

MR. RAIKES: I have received a communication from Mr. Wilson, clerk of the Enniskillen Union, on the subject referred to by the hon. Member, and I beg to state that when the requisition forms in question are returned through the Post Office unpaid they are charged double postage under the ordinary rule. The Legislature has conferred no privilege of free transmission through the post on the documents in question, and I have no power to treat them exceptionally.

IRISH MAILS.

MR. MACARTNEY (Antrim, S.): I beg to ask the Postmaster General if the connecting line across Dublin is now open and available for mail traffic between Kingston and the North of Ireland; whether a proposal for an acceleration of the London mail to the North has been made to the Post Office, to arrive in Belfast at 9.45 a.m., and Londonderry at 11.30 a.m.; whether an alternative proposal, also by the Dublin route, to run a special train immediately after the arrival of the mail packet each morning at Kingstown with the night mail from London, arriving at Belfast at 9 a.m. and Londonderry at 10.30 a.m., has been made; whether both these

proposals provide for the delivery of a sorted mail, both at Belfast and Londonderry; whether such delivery is equivalent to the saving of three-quarters of an hour; and, what reply, if any, has been made to these proposals by the Post Office?

MR. RAIKES: The hon. Member has stated the facts with substantial accuracy. The whole subject is under the consideration of Her Majesty's Government, as my hon. Friend is no doubt aware.

MR. T. W. RUSSELL (Tyrone, S.): Will there be a delivery of assorted mails?

MR. SEXTON: How long is it since the subject was referred to the Treasury, and will the right hon. Gentleman say whether the proposal has been considered in connection with the Larne and Stranraer route?

MR. RAIKES: The matter has been under the consideration of the Treasury now for two or three months. Constant communications have been passing between the Treasury and the Post Office with the view of arriving at a final decision. Negotiations are now proceeding between the Post Office and the different Railway Companies. I am not in a position at present to answer the question of the hon. Member for South Tyrone (Mr. T. W. Russell), and I will ask him to put it on the Paper.

DUNDALK AND GREENORE RAILWAY.

MR. JORDAN: I had intended to ask the President of the Board of Trade whether he is able to say to which Railway Company, the London and North Western or the Great Northern (Ireland), belongs, the section from Dundalk Junction to Dundalk Quay Station, on the Dundalk and Greenore line; whether he is aware that a filthy and unsanitary open ditch runs for a considerable distance parallel with the rails within the railway ambit; and whether it is competent to the Board of Trade to take cognizance of such a condition of affairs; and, if so, will he take steps to have this nuisance remedied? At the request of the right hon. Gentleman I beg to defer the question.

ENNISKILLEN AS AN ARMY STATION.

MR. JORDAN: I beg to ask the Secretary of State for War whether the authorities at the War Office have determined definitely, as stated in the *Fermanagh Reporter* of Thursday last, 21st instant, that for the future Enniskillen will not be a head-quarters station?

*MR. E. STANHOPE: Yes, Sir; as soon as the necessary barrack accommodation is provided elsewhere.

*MR. JORDAN: Now that it is decided to remove head-quarters, will the right hon. Gentleman, with Lord Wolseley and the Military Authorities, consider the propriety of removing the residuum of the military from Enniskillen.

*MR. E. STANHOPE: No, Sir.

POST OFFICE AT SKIBBEREEN.

DR. KENNY (Cork, S.): I beg to ask the Postmaster General whether it is the intention of the Postal Authorities to erect a new post office on a site in North Street, Skibbereen, South Cork; whether the said site in North Street is near the extreme end of the town, and hence most inconveniently situated to nine-tenths of the inhabitants whose places of business are in Main Street and Bridge Street, and High Street, nearly half a mile distant, where are also situated the chief hotels, town hall, &c.; whether he is aware that a meeting of the inhabitants of Skibbereen, presided over by the Chairman of the Town Commissioners, was held some months since, at which a resolution was unanimously passed recommending as the place most convenient to the general public, for the new post office, a site at the junction of High Street and Market Street, previously approved of; whether he is aware that this resolution was subsequently endorsed at a meeting of the Town Commissioners, who offered to lease the site in question on easy terms to the Postal Authorities; whether the latter did not at the time agree to the proposal; and whether, in view of the great public inconvenience which will be caused by the erection of the proposed office so far from the centre of the town, he will direct its erection on the site offered by the Town Commissioners?

MR. RAIKES: The duty of providing accommodation for the Post Office work at Skibbereen rests upon the Postmaster. In February last he applied for permission to move the business to a new office which he proposed to build on a site in North Street. No other suitable site or

house was available at the time, better accommodation was urgently needed, and permission was given. The site is only 200 yards from the Square, which is considered to be the centre of business, and is nearer to it than the present office. I am informed that the site at the junction of High Street and Market Street recommended by the meeting referred to, is really a portion of the Square, and is much frequented on market days. I am also informed that the Town Commissioners have never offered a lease of it. The Postmaster has completed his arrangements for the new office in North Street, and it is not practicable to disturb them.

LAND PURCHASE ACTS.

SIR G. CAMPBELL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he has noticed in the *Times* of 25th May, a statement asserting that the Land Purchase Acts have been abused in the following particulars—

"The son of a landlord buys from his father two farms at a little over £3,000 each, total £6,000. A purchaser buys a demesne or home farm in five separate conveyances, of £2,000 each, total £10,000 to one purchaser,"

and whether he has any reason to believe that such or any similar transactions have actually taken place; if so, whether he has done anything to check such things, or has any power to do so; and, if not, whether, in the event of his not proceeding with the Land Department Bill, he will propose any measures to prevent the possibility of abuses under the new Act such as have occurred under the Ashbourne Acts?

MR. A. J. BALFOUR: I have observed the letter published in the *Times* of May 26th, to which I presume the hon. Member refers. It is the case that, as the law stood prior to 1887, there was no limit in the number of advances which could be made to any one tenant-purchaser. But under the Land Act passed in that year the amount of an advance to any one purchaser was limited to a sum not exceeding £5,000 in all, which was modified by Section 2 of the Purchase of Land (Ireland) Amendment Act, 1888, to a sum not exceeding £3,000, except where expedient for the purpose of carrying out sales on the same estate, when an advance not exceeding £5,000 might be made. This limitation continues and would be applicable in the case of any sale under the proposed legislation now before the House.

SIR G. CAMPBELL: May I ask whether the right hon. Gentleman has reason to believe that the facts are as stated in the question?

MR. A. J. BALFOUR: I gather, at all events, that that might have been done before the Act of 1887.

SIR G. CAMPBELL: Will the right hon. Gentleman take any measures to prevent such abuses from taking place in the future?

MR. A. J. BALFOUR: I have told the hon. Gentleman that we have taken two measures to stop them—one under the Act of 1887 and another under the Act of 1888.

METALS AND MINERALS IN IRELAND

MR. CALDWELL (Glasgow, St. Rollox): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether te sales made in virtue of the Ashbourne Acts were based upon the agricultural value of the holdings and did not include any sum in respect of the metals and minerals which might be in the lands sold; whether, under the Purchase of Land and Congested Districts (Ireland) Bill, the price of the holdings is also intended to be based on the agricultural value alone; and whether, considering the value to be received by the purchasers in respect of the Imperial credit and of the local guarantee, the Government will take such steps as will insure that the metals and minerals should either be the property of the nation or belong to the Local Authorities for local taxation purposes?

MR. A. J. BALFOUR: I am not aware of any case in which a holding known to contain metals or minerals of an appreciable value was sold under the Ashbourne Acts. The sales made under these Acts were therefore naturally based upon the agricultural value. A like basis of value would regulate sales under the legislation proposed by the present Bill.

SEA WALL AT LAHINCH.

MR. JORDAN: I beg to ask the Secretary to the Treasury whether he is aware that a protection sea wall at the village of Lahinch, County Clare, and

several houses have been swept away; whether any memorial or resolutions from the people of the district in reference to the rebuilding of the wall have been forwarded to the Government; whether the Lord Lieutenant of Ireland in his recent visit to the West of Ireland saw the wreck, and if the inhabitants solicited his help in the matter; and whether, under all the circumstances, the poverty of the district and the nature and purpose of the work, he will grant the aid sought to rebuild the wall and repair the damage during the summer months?

MR. JACKSON: I received a memorial last autumn, but I do not find that it is a matter for which the Government could make any grant.

INTERMEDIATE EDUCATION IN IRELAND.

MR. JOHNSTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has seen the letter recently addressed to the Assistant Commissioners of Intermediate Education in Ireland, by Mr. William Wilkins, on behalf of the Schoolmasters' Association, and the resolutions accompanying it; whether objection is made to the inclusion of Celtic, at the expense of the abandonment of some more useful language, ancient or modern; and whether he can state the course which the Commissioners of Intermediate Education intend to adopt in reference to these resolutions?

MR. A. J. BALFOUR: The Assistant Commissioners of Intermediate Education Report that the Resolutions referred to, together with other communications relative to the published Programmes of the Board, have been under consideration, and the Board purpose submitting additional Rules to the Lord Lieutenant in due course.

DUBLIN HOSPITALS BILL.

MR. SEXTON: I beg to ask the Secretary to the Treasury when he intends to re-introduce the Dublin Hospitals Bill?

MR. JACKSON: I am bound to say that I have found it impossible to satisfy myself that I could introduce a Bill with any hope of passing it without opposition.

LOANS TO SCHOOLS, &c. (IRELAND) BILL.

MR. SEXTON: I beg to ask the Secretary to the Treasury what is the cause of the prolonged delay in circulating the Loans to Schools and Training Colleges (Ireland) Bill, introduced on the 8th of April, and set down for Second Reading on Monday last?

MR. JACKSON: There has been some delay and difficulty in determining the precise form in which the grant should be given. If the hon. Member will put down a question for this day week I think I may be able to answer it.

TRALEE AND DINGLE LIGHT RAILWAY.

MR. SHEEHAN (Kerry, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the fact that the Tralee and Dingle Light Railway Company, with a capital of £150,000, consists of nine members, while there are 10 Directors, only two of whom hold shares in the company, and that the 10 Directors will be able to draw £20 a year each from the receipts; whether he is aware that the Directors, over seven months before the opening of the line, appointed a secretary at £200 a year, and a manager at £150, which they have lately increased to £200 a year; while, on several other railway lines, the duties of the two offices are performed by one official; whether the secretary was appointed at a meeting of the Board without any previous public announcement, that he is the son of the Vice Chairman of the company, both of whom are engaged in local commercial business, and that the appointment has given rise to a great deal of dissatisfaction among the other local traders, since their business over the line will be open to the inspection of a rival trader, thus placing them at a very serious disadvantage; and whether, since this line was built under the Tramways (Ireland) Act of 1883, the Treasury will contribute half the required guarantee, when such expenses have been incurred?

MR. A. J. BALFOUR: I have no official information upon the points raised in the question, and I would

suggest that the hon. Gentleman should address his inquiry to the Treasury.

MR. SHEEHAN: I beg to ask the President of the Board of Trade whether his attention has been called to the recent Report of General Hutchinson, the Board of Trade Inspector, on the Tralee and Dingle Light Railway and Tramway in the County Kerry; if the steepest railway gradient in the Kingdom (1 in 30) is on this line, a distance of three miles, on which gradient the train has been stopped twice while ascending, first, to get up steam, second, to examine the brake; and if these stoppages are, as alleged, in accordance with General Hutchinson's orders; whether, shortly after the opening of the line, the couplings of the waggons and the rolling stock generally were in such bad condition that the company has had to apply to the Lord Lieutenant for a free grant, to replace and repair the carriages and engines; whether the scale of speed laid down by General Hutchinson is being adhered to; whether trains are permitted to be run after sunset, and if it is legal to lock both doors of carriages while the train is in motion; and whether he is aware that, of the six regular Directors, four, including the Chairman, have no shares in the company, and if this state of things is in accordance with the Companies' Acts?

*SIR M. HICKS BEACH: Yes, Sir. The Reports of General Hutchinson to the Board of Trade have been before me. The steepest gradient on the line is, as stated, 1 in 30. This is unusually steep, but I am aware of certainly two other gradients as steep. I know nothing of the stoppages referred to in the second part of the question. The company, having undertaken to comply with the recommendations contained in General Hutchinson's Reports of the 24th December, 1890, and of the 16th of March last, including the scale of speed, were, on the 17th March, permitted to open the line. There is nothing in the Regulations to prevent the running of trains after sunset, or in the law to prevent the locking of both doors; which latter, however, is an extremely undesirable proceeding. I have no knowledge of the number of shares held by the Directors, and I am not aware of any general provision in the Acts relating to companies which prescribes the number of shares to be held by a Director.

BUSINESS OF THE HOUSE.

SIR W. HARCOURT (Derby): I rise to ask the First Lord of the Treasury, whom I am glad to see amongst us to-day, what arrangements he intends to make with respect to Public Business. First of all, I want to know what are the intentions of the Government with reference to the Free Education Bill. We have always understood on this side of the House that the Government proposed to introduce that Bill after the Committee on the Land Bill. Is it their intention now to proceed with the Report stage of the Land Bill before taking the First Reading of the Education Bill? I could understand their proceeding with the Land Bill before moving the Second Reading of the other measure; but I do not understand why they should postpone the First Reading. That would be an unopposed stage, and it would give the House and the country the opportunity of considering the character of the measure. I hope the right hon. Gentleman will consider this, and agree to take the First Reading of the Education Bill before the Report stage of the Land Bill. The second question I wish to ask is, what day the right hon. Gentleman can appoint for the discussion of the affairs of Manipur? There are reasons why that discussion should not be postponed. We are anxious to hear the views of the Government upon this subject, and I hope that the right hon. Gentleman will be able to fix an early date. Then with reference to the Bill which stands second on the Paper to-day—the Factories and Workshops Bill—I hope that the right hon. Gentleman will agree not to press it forward to-night. Very strong appeals have been made by the Government not to do so by the right hon. Member for Wolverhampton (Mr. H. Fowler) and the right hon. Member for Bury (Sir H. James).

*MR. W. H. SMITH: In answer to the first question of the right hon. Gentleman, I have to remind him that the language I have uniformly used in this House is that the Free Education Bill would be introduced when the Land Purchase Bill was through its stages in this House, and I think it would be con-

venient that we should adhere to that course.

SIR W. HARCOURT: Perhaps the right hon. Gentleman will allow me to interpose for a moment. I presume that in the case of a Bill of this importance the right hon. Gentleman contemplates that there will be a considerable interval between the First and Second Reading of the Bill.

*MR. W. H. SMITH: I fully recognise the importance of that. In fact, I think I have already stated that the Government recognise the necessity of allowing a sufficient interval to elapse in order that the Bill may be considered in the country as well as by the House. With regard to the second question of the right hon. Gentleman relating to the discussion which he desires to raise upon the occurrences at Manipur, I will ask him to be good enough to postpone the question until Monday, when I hope to be able to tell more accurately what will be the course of Public Business during the next week or 10 days. I recognise the necessity for a discussion upon the subject of Manipur, and I will take care that it is not unduly delayed. As to the postponement of the Factories and Workshops Bill, which stands in the second place for consideration this evening, I think it must be admitted that when a measure has been put down for a particular day, it ought to be considered on that day, unless very strong reasons are given against that course. The right hon. Gentleman has not referred to one reason for postponement, which has been mentioned to me privately, and that is the absence, which we all regret, of the right hon. Gentleman the Member for Sheffield (Mr. Mundella), who took a prominent part in the consideration of this measure in the Standing Committee. I should be the last person to wish to urge a measure forward in the absence of a prominent Member of this House who has taken a strong interest in it. At the same time, it is undoubtedly for the convenience of the House that arrangements made for the progress of Bills should generally be adhered to. But on this occasion there is another reason why I should hesitate to force this measure on. It is always better to secure the co-operation of right hon. and hon. Gentlemen opposite rather than their opposition in matters of this kind; and seeing that a change has supervened in relation to the discussion of the Newfoundland Bill, which stands first on the Paper this evening, and which we shall ask the House to read a second time—we hope without discussion—I think that perhaps I may be justified in the circumstances in yielding—[*Ministerial cries of* "No!" *and* "Hear, hear!"]—to the request made with regard to the Factories and Workshops Bill, on the understanding that we make serious progress in Committee of Supply this evening. I know that in making this concession I am disappointing a large number of hon. Members who sit behind me; but I feel that the interests which they have at heart will be forwarded rather than delayed by the course which I am now taking. I believe that we could not dispose of the Bill to-night in the face of the opposition with which it would probably be met were we to persevere with it, and I think I may count upon the readiness of right hon. and hon. Gentlemen opposite to dispose of the measure in a single Sitting on a future occasion. I very much regret the absence of the right hon. Member for Sheffield, and I hope it will be possible for him to be in his place when the Bill appears on the Order Paper at a future date. I hope it will be understood that when that date is fixed there will positively be no departure from the arrangement made.

*SIR H. JAMES (Bury, Lancashire): I am aware that there is no question before the House; but with your permission, Sir, and that of the House generally, I may perhaps be allowed to add a word to what has fallen from the right hon. Member for Derby (Sir W. Harcourt) in support of his appeal for the postponement of the Factories Bill. I yield to no one in my desire to see the Bill pass, but I fear that if the measure is pressed this evening, progress will be delayed by artificial Amendments. I believe that time will really be gained by postponing the consideration of the Bill. It may be said that the absence of one Member of this House, who takes great interest in the measure, is not sufficient ground for postponement; but there is a certain courtesy due to Members on whichever side of the House they sit. Such courtesy has lately been extended to the Government when

several Members in charge of Departments have been away through illness. I may add that there is no Member of this House to whom the children employed in the manufacture of textile fabrics owe more than they do to the right hon. Member for Sheffield, who has taken the greatest interest in the question of the age at which children shall be employed. When the question was raised in the Standing Committee the right hon. Gentleman bore the burden of the Debate, and I am sure it will facilitate matters if he can be present when the Bill is discussed.

MR. J. M. MACLEAN (Oldham): I wish to express the great regret felt amongst Members on this side of the House at the cause of the absence of the right hon. Member for Sheffield, but we also regret that the First Lord of the Treasury has not intimated before this evening that the Bill is not to be taken. The convenience of all other Members of the House ought not to be disregarded for the convenience of the right hon. Member for Sheffield alone. A large number of Members have come to the House this evening with the special purpose of discussing the Factories Bill, and now at the last moment the consideration of the measure is to be postponed. The right hon. Gentleman was not present when the question of half-timers was exhaustively discussed in the Standing Committee, and there are many Members on the other side of the House competent to express their views on the question. I therefore regret that the First Lord of the Treasury should have given way.

MR. ELLIOTT LEES: It is a source of very great inconvenience to us that this alteration has been made. All our arrangements have been made on the supposition that the Debate would take place to-day, and I think we are at least entitled to ask that we should have full and sufficient notice given to us as to when the Bill is to be taken.

MR. SEXTON: It is necessary that the Irish Members should be informed precisely of the intentions of the Government with reference to the Irish Land Purchase Bill. I wish to ask whether the Report will be taken on Monday?

*MR. W. H. SMITH: The Report will be taken on Monday. In answer to my hon. Friend, notice will be given when the Factories and Workshops Bill will be taken.

*MR. G. OSBORNE MORGAN (Denbighshire, E.): What course do the Government intend to take with regard to the Newfoundland Fisheries Bill?

*MR. W. H. SMITH: Communications have passed between Her Majesty's Government and the Newfoundland delegates which have resulted in an understanding, which I will state to the House. It has been agreed between the delegates and Her Majesty's Government that the Newfoundland Fisheries Bill should be read a second time on the understanding that the Bill passed by the Newfoundland Legislature shall secure the observance of the *modus vivendi*, and of the decision of the arbiters under the *modus vivendi* and of the Treaties in force between this country and France until the end of 1893. Under these circumstances, Her Majesty's Government have thought it right to recommend the House, in accordance with the suggestion of the delegates themselves, to read the Newfoundland Fisheries Bill a second time, I hope without discussion, which under the circumstances of the agreement could hardly be profitable. Her Majesty's Government will then postpone the further consideration of the Bill for three weeks, with a view to its ultimate withdrawal if a measure is passed by the Newfoundland Legislature in the form in which the delegates themselves undertook that it should be passed. Her Majesty's Government rejoice, and I believe every Member of this House will rejoice, that such an arrangement has been come to, an arrangement which will be to the advantage not only of Newfoundland, but of the Empire at large.

*MR. A. STAVELEY HILL (Staffordshire, Kingswinford): The House will, perhaps, allow me to postpone what I have to say on behalf of the delegates till we come to the Second Reading.

MR. MACARTNEY: I wish to ask the First Lord of the Treasury whether, in the event of the Report of the Irish Land Purchase Bill being concluded on Tuesday, the Government propose to take Wednesday for its consideration?

*MR. W. H. SMITH: My hon. Friend has probably forgotten that the Govern-

ment have the time of the House with the exception of Wednesday for the Land Bill. If the Report stage be not concluded on Monday it will be taken on Tuesday, and on Thursday and Friday, and so on.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): What will be first to-morrow?

*MR. W. H. SMITH: We shall take Supply and some of the Bills on to-day's Paper.

SIR W. HARCOURT: When will the Budget Bill be taken?

MR. GOSCHEN: I had hoped that the Debate on the Bill would have been concluded on Tuesday, and it is rather a surprise to all parties that it has been prolonged. I propose to take the adjourned Debate at half-past 11 to-night.

CONTRACTS WITH FOREIGNERS.

Return ordered—

"Of all Contracts for articles of Home Manufacture made in the United Kingdom by the several Government Departments between the 1st day of April, 1890, and the 31st day of March, 1891, with contractors outside the United Kingdom (in continuation of Parliamentary Paper, No. 189, of Session 1890)."—(*Mr. Howard Vincent.*)

SOLDIERS AND SAILORS (CIVIL EMPLOYMENT).

Return ordered—

"Showing, by Departments, the number of clerks or permanent messengers in the Civil Service, or park or lodge keepers under the Office of Works, the Office of Woods and Forests, or the Board of Green Cloth, appointed since the 1st day of September, 1887, and the number of such clerks, permanent messengers, park or lodge keepers, who, prior to appointment, served in the Navy, Army, or Royal Marines, in accordance with the recommendation of the Select Committee appointed in 1877 'to inquire how far it was practicable that Soldiers, Sailors, and Marines, who had meritoriously served their Country, should be employed in such Civil Departments of the public service as they may be found fitted for' (in continuation of Parliamentary Paper, No. 341, of Session 1887.")—(*Mr. Howard Vincent.*)

NEW WRIT.

For the City of London, *v.* Sir Robert Nicholas Fowler, baronet, deceased.

ORDERS OF THE DAY.

NEWFOUNDLAND FISHERIES BILL [LORDS].—(No. 339.)

SECOND READING.

Order for Second Reading read.

*(4.38.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I shall not occupy the time of the House for more than a very few minutes in moving the Second Reading, relying upon an understanding which has been arrived at between the delegates and ourselves as to the necessity of taking this stage. The House is aware that the Bill has been promoted solely with the view of enabling Her Majesty's Government to carry out obligations which now exist between this country and France. Unless a measure of this kind were passed, either by Newfoundland or by this country, Her Majesty's Government would be without the power of carrying out their obligations. A letter which has been received by the Secretary of State for the Colonies from the delegates will justify the course which I am about to take on the present occasion. He addresses my noble Friend in these terms:—

"May 27, 1891.

"My Lord,—We learn that Her Majesty's Government are not averse to the propcsition made by us relative to the passing of a temporary Act for carrying out the *modus vivendi* respecting the lobster fishery, the execution of the award which may be made under the agreement for arbitration as regards lobsters, and the Treaties, provided that such Act is made to terminate at the end of the year 1893. We make this proposition with considerable reluctance, and refrain from recommending its conclusion by the Local Legislature without receiving from Her Majesty's Government an assurance that in case such Bill be passed, Her Majesty's Government will, first, withdraw the Bill now before the House of Commons after its Second Reading; secondly, will also give an assurance that the terms of a permanent Bill to be passed by the Colonial Legislature based upon the principle of the establishment of Courts under Judges or Magistrates, instead of under naval officers, for the adjudication of questions arising under the Treaties, *modus vivendi*, and award of the present arbitration, be forthwith discussed with the delegates, and arranged. Such permanent Act, when passed by the Colonial Legislature, might at once supersede the present colonial temporary Act. In case no such permanent Act can be arranged and passed, which we cannot conceive as probable, of course it will be competent for Par-

liament to pass such an Act before the end of the year 1893 as it may deem necessary for the carrying out of the Treaties, &c.'

My noble Friend wrote at once to the delegates that Her Majesty's Government were prepared to give an assurance that they will withdraw the Imperial Bill after the Second Reading if the Colonial Legislature will pass a temporary Bill making adequate provision to enable us to fulfil our obligations until the end of 1893. Her Majesty's Government are also prepared to arrange with the Colonial Government for a permanent Bill. That is a statement of the condition of affairs as between Her Majesty's Government and the delegates of the Newfoundland Legislature at the present time. I hope that in asking the House to refrain from entering into all the circumstances of the case which render this legislation necessary at the present moment the House will see that I am consulting the interest of the colony and the interest of that good understanding which I trust will always exist between the inhabitants of the colonies and the Government of this country. This is a question of the greatest possible moment in the interest of the colony and of the Empire. Whatever Government may be in power, it must desire that the engagements to which we are committed must be observed at once by the Government at home, and by those Local Governments which are in any way concerned. I trust that the House will accept the Second Reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. W. H. Smith.*)

*(4.43.) MR. A. STAVELEY HILL (Staffordshire, Kingswinford): I am sorry I cannot completely endorse what has fallen from my right hon. Friend as to the action of the Colonial Office in this matter; Her Majesty's Government have taken every step rather to irritate than to conciliate the Colonial Legislature. ["Oh, oh!"] It was only at the very last moment, when the Motion had been made that the delegates be heard at the Bar, that they were informed that their proposal was accepted. This Bill was brought in to replace the lapsed temporary Act. It was only about a year ago that it was discovered that there were no powers to enforce the Treaty claims, and it became necessary to pass a Bill which would enable Her Majesty's Government to carry out their engagements. The existing state of things has been largely brought about by the manner in which the Treaty rights have been carried out. May I be allowed to read the statement that would have been made by the delegates had they come to this Bar, as showing the feeling that was necessarily excited on the state of facts that came before the public—

"British statesmen," the Newfoundland delegates say, "have declared that the French have only a right to fish in common with British subjects in the waters of the Treaty coast; but British naval officers have prevented British fishermen from fishing there, have driven them from their own waters, and French naval officers have been permitted to commit similar acts with impunity. British fishing vessels, in going into harbours upon the Treaty coast for refuge on their way to fish upon the Labrador, have, in like manner, been driven to sea because they presumed to fish while there. British statesmen have declared that the erection of lobster factories by the French upon the Treaty coast is a violation of the Treaties; and M. Waddington declared that 'two Frenchmen having commenced erecting lobster factories, their erections took the form of solid permanent buildings, and must be removed.' Yet a British lobster factory upon the Treaty coast was removed by order of a British naval officer, who permitted a French lobster factory to be erected in the same place, and the British fisherman is up to this day without redress, notwithstanding that strong representations were made to Her Majesty's Government in his behalf. Her Majesty is the Sovereign of the soil of Newfoundland, and yet a British subject, having erected a house at some distance from the shore on the Treaty coast, purposing to prosecute agricultural operations, had his house pulled down by order of a French naval officer, and up to this day no redress or compensation has been afforded him, notwithstanding strong appeals in his case to Her Majesty's Government. Her Majesty is the Sovereign of the soil of Newfoundland, and yet the local Government is prevented from making grants of land up to a half mile from high-water mark, without being clogged with conditions which render the title so precarious that no prudent man will invest capital in developing the mining, agricultural, and other internal industrial resources of the country in proximity to the Treaty coast. All such operations on this part of the Island are stopped, extending over a distance of about 700 miles of coast. Her Majesty is the Sovereign of the soil of Newfoundland, and yet the working of mines upon the Treaty coast has been stopped by French intervention, and in one case a French officer threatened to fire upon the buildings erected for the operation of a mine upon this coast. The herring fishery at Sandypoint, in St. George's

Bay on the Treaty coast, has been prosecuted by British subjects for over 60 years without molestation or hindrance from the French until within the last three years, and yet a French officer presumed to land upon the coast and stopped their fishing, which was the sole means of their support. Numerous other examples may be adduced illustrative of the condition I have described."

I quite agree with the right hon. Gentleman the First Lord of the Treasury when he said that the Treaties made by Great Britain must be respected and executed. The Newfoundland delegates came over here instructed by both sides in the Legislative Council and the Legislative Assembly of the Island first to enter into terms for the passing of a temporary Bill to carry out the *modus vivendi*; secondly, to arrange the terms of a permanent Bill to carry out the arbitration and Treaty rights; and, thirdly, more important than all, to arrange a judicial system for the administration of those Treaty rights. The greatest burden and grievance to the Newfoundlanders has been the way in which the Treaty rights under the Treaty of Utrecht have been administered. The French, in fact, have been far more clever in the matter than we have. Sir J. D. Hardy, Sir F. Kelly and Sir Hugh Cairns have given their opinion on the question, and it recognises the injustice inflicted on the Newfoundlanders. The French have certainly looked more closely into the matter than the English have, and have made good use of the knowledge they have thus obtained. It is by these means that they have been able to make from time to time the encroachments they have effected on their Treaty rights. The course taken by the French has been to send an old and experienced naval officer to Newfoundland, who would remain there eight or ten years, would know everything that was going on, and would be able to judge how the interests of the French could be best served to the exclusion of the British. England, on the contrary, has been in the habit of sending out young lieutenants of gunboats for terms of two years, or less, and consequently from want of experience they have been placed at a great disadvantage compared with the French officer, and British and Newfoundland interests have suffered in consequence. Hence, when any case has come before these maritime tribunals, the Newfoundlanders have generally got the worst of it. The people of Newfoundland, therefore, appealed to Her Majesty's Government to send them out some competent Magistrate, some person or persons of high character, who both, on board and on shore, would judicially administer the Treaty Law, and they declared that with such an arrangement they would be content. The delegates understood that the terms with which they started from the Island, and to which I have referred, had been accepted, and if hon. Members will look to what was said in the House of Lords they will find that those terms were accepted by Lord Salisbury and Lord Knutsford. But the delegates found that the Government required that there should be a longer extension of time to meet the contingency of Parliament being adjourned, or, possibly dissolved, at the time when the Act might come to an end; and they were willing to accept this, and we all felt the Bill must be passed, and I quite agreed with the right hon. Gentleman the Member for Derby that we could not have come down to oppose this Bill if the Colonial Bill had not been passed by the Newfoundland Legislature. Sir William Whiteway and his colleagues, having carried out most honourably everything they had promised, cabled across to Newfoundland and the time was extended. The Act as it now stands will, by the action of the Newfoundland Legislature, be in operation until the end of 1893, and the *modus vivendi* has also been extended to meet the requirements of the Government. What, then, is the present position of the delegates? They have done everything the Government requires; they have, I venture to say, loyally and completely carried out all that has been required of them. They have passed the Act in the form I have stated. I do not like to make any complaint, especially against my own political Friends, but I am bound to say that the delegates have certainly been treated with scant courtesy by the Colonial Office, which they have always found running counter, for some reason or other, to them. I am glad, however, that the terms have been accepted. I must remind the House that it was not

until half-past 3 o'clock this afternoon that I had placed in my hands the letter then sent to the Newfoundland delegates from the Colonial Office, in which the Colonial Secretary wrote—

"I have the pleasure of conveying to you an assurance from Her Majesty's Government that after the Second Reading they will withdraw the Bill which is now before the House of Commons. I have further to acquaint you that Her Majesty's Government are prepared forthwith to discuss and arrange with you the terms of a permanent Bill to be passed by the Colonial Legislature on the general principle referred to in the second paragraph of your letter of the 27th inst., and I am to add that the views of Her Majesty's Government in respect to the other points mentioned in that letter have been stated in the previous correspondence."

I am glad, indeed, that the terms have been accepted, and I join heartily in the wish of the Leader of the House that the matter may be settled without further difficulty.

(4.58.) SIR W. HARCOURT (Derby): I am quite sure I express the sentiments of both sides of the House when I say that the House of Commons has heard with the greatest satisfaction that the unhappy controversy which has been going on now for some weeks between the Newfoundland delegates and Legislature and Her Majesty's Government is at last happily closed. With reference to that controversy, the right hon. Gentleman the First Lord of the Treasury has deprecated discussion on the subject. There is one way in which he might have avoided discussion, and in which I think he ought to have done so, namely, by not asking the House of Commons, as a mere matter of form, to read this Bill a second time. Why are we reading it a second time? It is a Bill most offensive in its character to the Colony of Newfoundland, and to read it a second time is, I think, in the circumstances, absolutely unnecessary, after what I call the very high-minded conduct on the part of the delegates and the Legislature of Newfoundland. What is the necessity for this measure, and why are we asked to read it a second time? I do not hesitate to say that if, after the course which the Legislature of Newfoundland has pursued, and which the delegates have followed, there had been any attempt to force this Bill through the House of Commons, it would have received the most determined resistance from the vast majority of the House. Therefore, I ask again, Why is the Bill to be read a second time? The right hon. Gentleman said it is assented to by the delegates. Yes; but I imagine that the delegates and people of Newfoundland would be better pleased if the Bill were not read a second time. I can conceive no greater catastrophe that could have happened to Great Britain than if this quarrel between the Mother Country and one of her most ancient colonies had come to an issue. From first to last I may say I think the conduct of the colony and of the delegates has been beyond all praise. ["Hear, hear!" *and* "Oh, oh!" *from the Government side.*] I notice the unfortunate spirit exhibited by that utterance—a spirit which has nearly brought us into an extremely false position. It is that domineering and dictating spirit which is a great danger in dealing with our Colonial Empire. For this is not a question of Newfoundland alone—it is a question as to our dealing with our self-governing colonies in other parts of the world. Depend upon it, that this is not a question of Newfoundland alone. Although the controversy is closed now, there is a lesson to be drawn from it which will be of use in our dealings with our self-governing colonies in every part of the world. Depend upon it, you could not have passed a measure of this kind without arousing a great amount of feeling and resentment in all our self-governing colonies in every part of the world. What is the controversy which has been going on for the last few weeks between Her Majesty's Government and the Colony of Newfoundland? The right hon. Gentleman said that international obligations must be observed. We all agree in that. The Colony of Newfoundland and the delegates have always admitted that, for they have declared their willingness to consent and be parties to a measure which would secure the performance of international obligations. There has never been a controversy about that. But naturally the people of Newfoundland have felt the extremely onerous and irksome position in which they were placed by ancient Treaties. They had a right to demand that the English Government should use their influence to ameliorate that position by negotiations of all kinds. Anybody who

has looked at the map and who knows what is called the French shore of Newfoundland must feel what is the irritation existing among the population of Newfoundland, and what is the necessary inconvenience to which they are subjected. Let hon. Gentlemen endeavour to picture to themselves what would be the feeling of the inhabitants of Great Britain if along the shore from Portsmouth to John o' Groat's—along a length of 700 miles—there was not a single Englishman who could erect a building, or construct a railway, or conduct any of the business of civilised life on that shore. The people of Newfoundland naturally felt that that was a great grievance, and they desired that some method should be found to relieve them from that inconvenience. People in that situation well deserved the greatest consideration at the hands of Her Majesty's Government, and ought to have been dealt with most tenderly and most judiciously. I cannot say that I have seen in these transactions a disposition to meet the colony in that spirit. In another place language was used which I thought was of a most cynical and irritating character. But in spite of that the delegates made this offer, when Sir W. Whiteway was heard at the Bar of the House of Lords. They said, "We will give you practically your existing powers, if it comes to that, for a year, or whatever time may be necessary, to allow us to turn round, and to give us elbow room in order that we may consider what is the best method of coming to some permanent arrangement." What, under this Bill, which the Government have laid on the Table, is the proposal and the jurisdiction to carry out the international obligations? In a self-governing colony a young and inexperienced officer of a man-of-war may go to the shore and pull down buildings, and oust the jurisdiction of that colony and the whole of its Government and its officers, and its Magistrates. That is a situation which is intolerable to a proud and sensitive people, and if they were not proud and sensitive they would not deserve the situation they hold of being the oldest colony almost of the Crown. They naturally desired to be relieved from that particular method of enforcing international obligations. They justly demanded that you should, with them, consider some method, by means of Courts within their territory, to carry out the international obligations in a more regular and less forcible manner than by invasion by these officers. The proposal of the delegates was this. They said, "We will pass a temporary Bill for a year, or longer if necessary; but give us time with you to settle upon a permanent Bill, which will have the effect of securing in a manner less grating to our sentiments the international obligations." How was that demand met? Everybody understood, after Sir W. Whiteway made his propositions in the other House of Parliament, that those propositions were accepted. I knew that from friends of mine with whom we act in another place. That was fully understood from the answer of the Government to Sir W. Whiteway. But the Government say, "No, we will not accept your proposal of a temporary arrangement which will secure the fulfilment of the international obligations as long as may be necessary." Nobody is more desirous than I am not to do anything to justly raise any feeling on the part of France, but as long as the international obligations are fulfilled, it is a matter of no concern to France what are the arrangements between ourselves and our colonies as to the mode of producing that result. It is not a question between France and ourselves as to our carrying out our Treaty obligations towards that country. It is for us and our colonies to consider a method of giving effect to our international obligations which would be acceptable to our colonies in their painful and difficult position. I say that the demand of the colony that a temporary arrangement should be made to give them time to consider what should be the permanent *status* of the Courts and their jurisdiction within the colony, was a most fair and reasonable arrangement, and yet in a method which the *Times* newspaper a day or two ago described as "casuistical" the Government said: "These are permanent obligations, and you must pass a permanent Bill at once." A more unreasonable contention I never heard in my life. You were to cram this Bill down the throats of the colonists at a few weeks' notice, and were to give no time whatever for considerations which required great reflection in order to settle a per-

manent Bill, and they said, "We will not accept a temporary measure; you must pass a permanent Bill at once, or we will proceed with a hostile Bill in Parliament against you, a self-governing colony." A more unwise, injudicious, and unstatesmanlike proceeding I never heard of. We have a right to ask that the Correspondence should be placed on the Table of the House. The delegates sent to the Press on Tuesday the most recent letters which have passed between them and the Colonial Office, and the last word of the Colonial Office was, "We will not listen to anything except a permanent Bill passed by you at once." An answer to that was sent by the delegates, but they received no reply. In a matter of such delicacy and difficulty that, in my opinion, was not the way to treat persons like the Representatives of the Colony of Newfoundland. The delegates have gone beyond their original offer, and they say they will give you the existing jurisdiction for two years if you will give them time to consult with you in reference to the framing of a permanent measure. Happily, at last the Government have come to the conclusion that that is an offer which ought not to be rejected. I was amused at seeing in one of the Government organs this morning an assertion that the proposal which the right hon. Gentleman has to-day accepted is one which could not be listened to for a moment, and must be rejected on the grounds stated in the Despatch of Mr. Herbert of the 8th of May. That is an unfortunate way of dealing with a question of this kind. The right hon. Gentleman says, "Read this Bill a second time, and it will not be proceeded with in case the Legislature of Newfoundland passes such a Bill as has been proposed." Such a Bill had been actually passed by the Legislature at the time when the right hon. Gentleman asked the House of Commons to read this Bill a second time. If you want to irritate people that is the way to do it. We know what has come from this method of dealing with colonies from the earliest history of the dealings of this country with the North American colonies. Hon. Members will remember the lines of Prior which were applied by Lord Chatham to the treatment of persons in this situation when he said—

> "Be to their virtues very kind;
> "Be to their faults a little blind;
> "And clap your padlock—on their mind."

That, in my opinion, is not the spirit in which you should have dealt with this matter at all. From the moment the delegates from Newfoundland and the Legislature show that they are prepared to give you the power of their own authority that is necessary to fulfil international obligations, this controversy ought to be closed at once. Of course, accidents may occur, although I confess I cannot see why a year should not have been enough to arrange for a permanent Bill. But you laid it down that you would not listen to any proposition whatever—that you would give them no time to consider a permanent Bill. That was a method of treatment which, in my opinion, they had a right to resent. I think the House ought to have on the Table the Correspondence which has passed within the last few weeks between the delegates and the Colonial Office. I am extremely glad that this controversy may now be considered closed. Although the delegates have consented to the Second Reading of this Bill, I regret that the House should be obliged to place such a measure—a most wanton and unnecessary measure—upon its Journals; but, under the circumstances, I shall certainly not oppose the Second Reading of this Bill.

(5.16.) SIR G. CAMPBELL (Kirkcaldy, &c.): I regret that at a time when a settlement of this question has been arrived at, an attack should have been made by the hon. Member for Staffordshire in a partisan and irritating speech upon Her Majesty's Government and the French, and I still more regret that the right hon. Member for Derby should have thrown fuel upon the fire. As a humble follower of the right hon. Member for Derby, I desire to express my entire dissent from what the right hon. Gentleman has just said. I do not think the right hon. Gentleman is right in attributing all the blame to the Representatives of this country, or in saying that the conduct of the Representatives of the colony is beyond all praise. My own view is just the contrary. The delegates commenced by saying that they would agree to no terms except the expulsion of the French

from Newfoundland. I think the first demands of the delegates were most unreasonable, and they have only receded from their original position, step by step, and fighting every inch of the way, under the compulsion of the present Bill. If this Bill had not been persevered with we would never have had this compromise. I do not understand from the statements of the First Lord of the Treasury and the hon. Member for Staffordshire that the Colonial Bill has been finally passed.

*MR. A. STAVELEY HILL: It has been passed by both Houses.

SIR G. CAMPBELL: If the Colonial Bill has actually and formally been passed in the exact form Her Majesty's Government demands, and if it will remain in force until 1893, then I quite admit the Second Reading of the Bill before the House is a mere formality; but that acknowledgment does not in any degree carry with it an admission that it is wise or right of the hon. Member for Staffordshire to make an irritating and partisan speech, or that it is right for the right hon. Member for Derby to make a partisan speech unduly favourable to the Representatives of Newfoundland. As I understand, the compromise has only been arrived at to-day. I think myself justified in making a humble protest against the remarks which have been made derogatory to the Representatives of this country, and far too favourable to the Representatives of Newfoundland. I would have greater sympathy with the people of Newfoundland if I were quite sure the delegates really represent the whole of the people of that colony, and especially the poorer classes. What I have heard of the hardships of the poor fishermen on the French coast leads me to believe that the poorer classes in Newfoundland are not those whose interests are represented by the delegates.

*MR. A. STAVELEY HILL: I ask permission to say a word or two by way of explanation. What I said was that in the letter I read from Lord Knutsford it was stated that—

> "Her Majesty's Government have learned with much satisfaction that the Colonial Legislature have passed a Bill, a copy of which was received from you."

The Newfoundlanders have never objected to arbitration; but what they want is arbitration on all points.

(5.25.) ADMIRAL MAYNE (Pembroke and Haverfordwest): I think it is extremely unfortunate that the Bill has not been read a second time without debate. My hon. Friend (Mr. A. S. Hill) has spoken of inexperienced naval officers being employed, and acting on their own initiative. As a matter of fact, it is a post captain of considerable standing whose name has been introduced, and who was occupied on the French coast—Sir B. Walker, an officer very much distinguished for the ability and courtesy with which he has endeavoured to do his duty. The employment of naval officers on those duties is no new thing, yet from the remarks of my hon. Friend and the right hon. Member for Derby the House may think that suddenly naval officers have been employed to shut up lobster factories. I was myself employed on that coast in 1882, and I know that the naval officers in charge never acted except upon most explicit orders from home, probably on the orders of the then Solicitor General (Mr. A. S. Hill), and they endeavoured to carry out their duty to the best of their ability. I believe it has been universally admitted that for the last 40 years the naval officers upon the Newfoundland coast who have had those disagreeable duties to perform have discharged them with discretion.

MR. PICTON (Leicester): The hon. Member for Kirkcaldy must not be accepted as representing opinion upon these Benches. His Indian experience, I am afraid, has unfitted him for understanding the sensitiveness of a self-governing colony. Sir, while I do not wish to go into the general question, there is one point that I cannot help raising. There now stands a Resolution passed at the beginning of this Sitting, that Sir William Whiteway be heard at the Bar of the House. We expected to have the advantage of the words of that gentleman, though of course that may not be necessary now. What I want to know is how the order that the delegates should be heard at the Bar can be set aside without the assent of the House being asked or given. It is no longer a matter between the Government and the delegates, but between the House and the delegates. If this Bill is ultimately to be thrown into the

waste paper basket, why read it a second time? We ought to show a little fellow-feeling with the people of Newfoundland. If the right hon. Gentleman the Member for Derby had not expressed a desire that the rejection of the Bill should not be moved, I should have made such a Motion; but I shall now act with deference to his wish, and simply move the adjournment of the Debate. I hope we may never hear any more of this Bill after the Debate is adjourned. Such a course would not mean exactly that the Bill has been rejected, but it will place it in suspense, and at the same time show tenderness and respect for the Representatives of the people of Newfoundland without causing inconvenience to anyone. I beg to move that the Debate be now adjourned.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Picton.*)

*(5.32.) MR. MORTON (Peterborough): I desire to second that Motion. I wish that this House and the country should have an opportunity of understanding this matter. I appeal to the Government to do justice in this matter to our colonial brethren. I think we have a right to claim that, as a matter of good faith, the First Lord of the Treasury should agree to the Motion, or alternatively get rid of the Bill altogether. The right hon. Gentleman promised the House that the Bill should not be taken beyond the stage of First Reading if the Government and the delegates came to an understanding. The Government have now arranged with the Colonial Representatives, and the House has a right to ask that the Second Reading of this measure shall not be proceeded with. I call this a coercion Bill, and I object to all such measures, especially when they are absolutely unnecessary. If the Government had treated the Colonial authorities properly, if the Government had consulted them previous to the introduction of the Bill, terms might have been arranged long ago with respect to a temporary measure without raising so much feeling on the question. The hon. Member for Kirkcaldy stated that the Newfoundland people would be satisfied with nothing but the expulsion of the French.

Mr. Picton

*MR. SPEAKER: Order, order! The Motion before the House is the adjournment of the Debate.

*MR. MORTON: I am sorry, Sir, to have transgressed the Rules. I did not intend to do so. I can only repeat now that the House is entitled to ask for the adjournment as a matter of good faith. There is indeed no occasion to pass the Bill now, because we have just been informed that it will not be wanted. I do not know whether I should be in order in saying anything with reference to the Colonial Office.

*MR. SPEAKER: Order, order!

*MR. MORTON: I will not transgress again, Sir. I hope the adjournment will be unanimously agreed to.

*(5.35.) MR. G. OSBORNE MORGAN (Denbighshire, E.): There is one point to which I think sufficient attention has not been given, and it is strongly in favour of the Motion for Adjournment. If the Colonial Act has been passed through both Houses of the Colonial Legislature and its provisions are satisfactory to the Government, I cannot conceive any reason why this Bill should be proceeded with. To push it forward, under these circumstances, would be a very bad precedent. If, on the other hand, the provisions of the Colonial Act are not satisfactory, or should a hitch arise in the future conduct of negotiations between the Government and the delegates, I should like to know what possible opportunity the House will have, if it now reads the Bill a second time, of discussing the merits of the question, or of criticising the whole course of the Government policy on this vexed question. There ought to be some opportunity afforded in the future of doing both, and, therefore, I trust that the House will support the Motion for Adjournment.

MR. MUNRO FERGUSON (Leith, &c.): Either this Motion to read the Bill a second time is a matter of form or it embodies a principle to which we have the greatest aversion. In either case the House has a right to demand some explanation why the Bill is being pressed forward to a Second Reading. So far we have had none. It can hardly be supposed that the Newfoundland delegates ask that this Bill be read a second time, seeing

that it embodies a proposal of which they have the greatest detestation.

*MR. SPEAKER: Order, order! That is not an argument for or against the adjournment.

MR. MUNRO FERGUSON: I was merely advancing it with a view to bringing out reasons why the Debate should be adjourned. I think, unless this Motion is accepted, the question will not receive that fair consideration to which it is entitled.

*(5.38.) MR. W. H. SMITH: I have no desire to interpose in this Debate, but I had perhaps as well now state why the Government ask for the Second Reading of this Bill. In the first instance, it is because it is part of the agreement and understanding with the delegates themselves. Besides, the Government consider that they are bound to ask for the Second Reading of the Bill in order to obtain the sanction of Parliament to the principle of the measure arranged in the course of the negotiations which have proceeded with France. That is the view which the Government take of the obligations they have contracted with the Government of France, and also in order to show good faith with that Government. The right hon. Gentleman opposite asks whether there will be an opportunity at a future time of considering the principle of the Bill if the Second Reading is now taken. The 2nd clause of the Bill is practically the entire measure, and, therefore, if the Bill reaches Committee stage it can be discussed at that time in any circumstances. But there is another opportunity which the House will have if the Bill is read a second time. I hope that further proceeding with it will be rendered unnecessary; and on the Motion "That the Order be discharged," it will be in the power of the right hon. Gentleman and hon. Members generally to review the course which the Government have pursued in these negotiations.

*MR. SPEAKER: Order, order! I cannot make an exception in favour of the right hon. Gentleman. This discussion must be strictly confined to the Motion for Adjournment. I may point out that a Second Reading Debate cannot take place on such a Motion as the right hon. Gentleman has referred to.

*MR. W. H. SMITH: Of course, if the House desires to review the whole transaction, I shall feel bound to afford it an opportunity of doing so. All the Correspondence will be produced and laid on the Table. I may point out that the closing paragraph in a letter of Lord Salisbury to M. Waddington, dated March 11, 1891, is to the effect that it is equally understood that the Government reserve expressly the approval of the British Parliament for the permanent arrangements to be entered into. It is on that account that the Government ask the House to read the Bill a second time, and in order to comply with the diplomatic engagements entered into with the French Government. I do not know whether, by the indulgence of the House, I may be permitted to reply to the observations of the right hon. Gentleman.

*MR. SPEAKER: Order, order! I can make no exception. The Debate must be strictly confined to the Motion for Adjournment, which might be withdrawn to enable the right hon. Gentleman to deal with the other questions raised.

*MR. W. H. SMITH: I hope that, under the circumstances, the hon. Member will withdraw his Motion.

(5.43.) SIR W. HARCOURT: It seems to me that what has just been stated shows the necessity of the Motion for the Adjournment. If the House parts with the Second Reading of the Bill to-day there will be no legitimate opportunity afforded for it to discuss the principle. It is a Bill which I confess I am prepared to oppose at every stage. It has been suggested by the right hon. Gentleman that the Second Reading is taken now at the desire of the delegates. I am informed, on the contrary, that it is exactly the opposite. The delegates have agreed to the Second Reading I know, but under the pressure of the Government; and the statement, therefore, that the delegates wish the Bill to be read a second time is one which I believe I am justified in contradicting. The right hon. Gentleman has spoken of obligations to France. What are they? To pass a farcical Second Reading of a Bill which is to be subsequently abandoned? There is no such obligation. The right hon. Gentleman read a passage from a Blue Book which contains the words "we reserve the approval of Parliament."

That is a well-known phrase which occurs in every agreement.

SIR C. DALRYMPLE (Ipswich): I wish to ask, Sir, whether the right hon. Gentleman is speaking to the Question of the Adjournment?

*MR. SPEAKER: An argument against the Second Reading is not an argument in favour of the Adjournment. The distinction is a narrow one, but it is an obvious one.

SIR W. HARCOURT: As the First Lord of the Treasury relied mainly on the obligation to France, it is necessary to point out that that obligation is wholly unfounded.

*MR. SPEAKER: That is not an argument in favour of the Adjournment, and I interfered with the First Lord of the Treasury on that point.

SIR W. HARCOURT: With all due submission, your interference, I think, Sir, was not on the question of obligation to France, but on the question of the withdrawal of the Bill, when the right hon. Gentleman stated that when the Bill was withdrawn, the whole subject could be discussed, you pointed out that that was not so.

*MR. SPEAKER: I interfered on the sole ground that the discussion should be strictly limited to the Motion before the House.

SIR W. HARCOURT: Very well, Sir, I will content myself with saying that the argument as to the obligation to France is utterly worthless. I think that this Motion for Adjournment is most proper. It will remove the indignation of the colony, and the Government will be doing a graceful act in assenting to it. It will be equivalent to saying to the colony, "Having heard that you have done all that is necessary we will drop the further consideration of the measure." At any rate, let us have the satisfaction of knowing that we on this side of the House, at all events, have done nothing to embitter this quarrel, but have, as far as we could, protested against these harsh, high-handed, and peremptory proceedings. We wish to express to our old and loyal colony our sympathies for the position in which it is placed, and our disinclination to record on the Journals of this House a hostile and irritating proceeding.

(5.50.) MR. W. F. LAWRENCE (Liverpool, Abercromby): I am glad to find right hon. Gentlemen on the front Opposition Bench interested in the colonies, as it seems to me to be a new turn in our history. I have read the Blue Book on the question before the House, and I do not entirely agree with Her Majesty's Government. I never listened to the right hon. Gentleman the Member for Derby with greater pleasure, and I cordially endorse almost every word which the right hon. Gentleman has spoken. I also agree with the Motion of the hon. Member for Leicester, because the Bill is highly distasteful to me; and I think that the Motion for the Adjournment provides a happy way of getting out of the difficulty. I hope that the Government will take the opportunity of relieving the House from the necessity of passing the Bill. It is most inconvenient that we should be asked now to vote for the Second Reading of the Bill. It is a question on which the colonists feel deeply. They know how much they have suffered——

*MR. SPEAKER: Order, order!

MR. LAWRENCE: I beg your pardon, Sir, for wandering from the question before the House. I will only express my hope that the Government will avail itself of this opportunity of relieving us of the unpleasant duty of passing the Bill.

MR. ILLINGWORTH (Bradford, W.): I think the Motion of my hon. Friend the Member for Leicester affords a way by which we can save the dignity of the House, and yet escape from a very difficult position. The right hon. Gentleman says we are under an implied obligation to France. I say it would be an insult to the French people to pass the Bill *pro formâ* in face of the right hon. Gentleman's declaration that it will not be further proceeded with. Hon. Members opposite have been professing for many years that they are the guardians of our colonies, and yet they are now willing to be parties to the formal reading of a Bill which is both distasteful and obnoxious to one of those colonies. I think the House would be well advised if it accepted, without a Division, the Motion for the Adjournment.

MR. BRYCE (Aberdeen, S.): I, too, cannot help hoping that the Government will take the opportunity of re-

lieving the House from a disagreeable position. The passage of the Bill is idle and superfluous, seeing that the Colonial Legislature have already passed the necessary legislation. If the adjournment is agreed to, the matter will be left unsettled, but if the Bill is read a second time, not only will a slur be cast on the Colony of Newfoundland, but the sanction of the House will be given to the conduct of the Government, which has been needlessly severe on the colony, and an act will be done which will be deeply resented in all British Colonies. On that ground I hope that the Government will relieve the House from the disagreeable position in which it is placed. The Liberal Party have always been the guardians of self-government in the colonies and elsewhere, and on behalf of self-government the Liberal Party is bound to try to prevent the House from committing itself to an act which must have the worst possible results all over the colonies. If the adjournment is agreed to, and the arrangements with the colony fall through, the discussion can be raised again.

*(5.56.) MR. A. STAVELEY HILL: I wish to explain, with reference to the statement that the delegates desired that the Bill should be read a second time; it was only when the pistol was absolutely held to their heads by Lord Knutsford that they gave their consent to the Second Reading of the Bill. I have read what took place, and can assure right hon. Gentlemen that that is so. I hope that the Government will consent to the adjournment.

*(5.57.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I do not think that hon. and right hon. Gentlemen opposite have taken the proper course to induce the Government to assent to the Motion of the hon. Member for Leicester. Two or three speakers, one after the other, rose to say that it is by this Motion that an escape is offered to the House from an intolerable position, and they added that the course suggested is practically to dissent from a policy which has been the policy of Her Majesty's Government. They have made it almost impossible for the Government to assent to the adjournment. At the commencement of the proceedings we hoped that we had agreed with the colony, and had arrived at a satisfactory solution of the difficulty. We hoped that all feeling might have been avoided which would prevent us from arriving at a peaceable settlement satisfactory to all sides. It was in that hope that the First Lord of the Treasury proposed the Motion, and we trusted that we might have shown a unanimous desire to bring the matter in dispute to an end as soon as possible. On the Colonial Vote, or on a direct Vote of Censure, right hon. Gentlemen opposite could have raised the whole question again if they wished to do so, but the right hon. Gentleman the Member for Derby made a speech which was an attack on the whole conduct of the Government in this case, and on an occasion when we thought that controversy might have been avoided. We have not attempted to reply at any length to his arguments, because at this time, when the colony is somewhat excited, we prefer not to defend our own course when such a defence can only be made at the present time at the expense of further irritating the colony. That is the wish of the Government at this moment. We deny that there has been the slightest wish to humiliate the colonists. We do not wish to enter upon such a defence of our own proceedings as can only be conducted by bringing recriminatory accusations against the colony. Under these circumstances we have been at a considerable disadvantage. The tone of hon. Members opposite is this—"We must adjourn this Debate in order not to put on the Journals of the House a measure such as the Government proposes." That is practically a censure on a Bill, which we say is indispensable in the interests of this country and of Newfoundland itself.

SIR W. HARCOURT: If there is a possibility of any misunderstanding I should be unwilling to be misunderstood. We do not desire the adjournment as a condemnation of the Bill, but simply mean to say that what has happened in the last 48 hours has made the Bill unnecessary.

MR. PICTON: May I say that I had no idea of moving the adjournment in a hostile manner, but simply as a way of getting out of the difficulty?

*Mr. GOSCHEN : I can only say that it has been put forward in this sense—that the House is to be relieved from "an intolerable position," and we heard of a "farcical Bill," and of the "harsh treatment of the colonies by the Government." We are most anxious that this matter should be treated in such a spirit that no irritation shall be caused among the colonists, but after the way in which it has been discussed, I think that it would be extremely difficult for us to withdraw from the position we have taken up. Let me add, in regard to France, that I understand the French have passed the Bill through both Chambers. Now, I am not sure of the effect which would be produced in France if they saw, after the speeches which have been made, the general tone taken by the opposition.

Sir W. HARCOURT: I rise to order. I was not allowed to refer to France, therefore I must object to the right hon. Gentleman doing so.

*Mr. SPEAKER: The Chancellor of the Exchequer is out of order in referring to France.

(6.5.) The House divided :—Ayes 122 ; Noes 195.—(Div. List, No. 253.)

Original Question again proposed, "That the Bill be now read a second time."

*(6.16.) Mr. F. H. EVANS (Southampton): I noticed when it was stated that the delegates demurred to the Second Reading of the Bill the First Lord of the Treasury did not deny that that was the case. I can assure the House, having been present at the time, that there was nothing but constant pressure placed on the delegates to get them to consent to that course. During the whole of these negotiations, with which I have been myself a good deal connected, while I do not want to throw more blame upon the Colonial Office than is fairly attributable to them, I must say we have been kept continuously at arm's length. I have complained myself to the Colonial Office about the treatment of the delegates, I am largely interested in Newfoundland, and have been very anxious indeed to do everything I could to bring about a settlement of the question, which is causing much more irritation in the colonies than this House can possibly understand. Hon. Members, I dare say, saw a report in this morning's papers stating that the cords of the flagstaff in the Governor's grounds at St. John's were cut, so as to prevent the raising of the flag on the Queen's birthday. On one occasion the Governor himself was very nearly shipped away from the Island. Hon. Members may say that is a strong measure, but, knowing very well the feelings of the people there, I can say that the irritation, which has been growing year after year for the last eight or nine years, has now reached a culminating point, and I could myself go to Newfoundland and get four out of every five men, women, and children to sign themselves away, and to proclaim the independence of the Island. The cause of such feelings is very simple. The main industry of the Island is fishing, and in all the transactions that have occurred in reference to the Treaties with France the Newfoundlanders have been left in the lurch. In hardly a single instance have the Government backed up the islanders. For three or four weeks the delegates have been in this country negotiating with the Government, giving way on every point, and it is only when they come to the Bar of the House of Commons to plead their cause that they are told by means of an unexecuted and unsigned document that the Government will accede to their wishes. Surely nothing could be more irritating to the colonists than this, and the passionate state of feeling yesterday in St. John's was certainly worse than anything that has happened before. We are now asked to read the Bill a second time against the wishes of the delegates and against the wishes of the colonists. It is proposed to arbitrate with reference to one single question—that of the lobster fishery. I was in Paris during the latter part of last week, and had several interviews with the French Government. I told them what I will tell the House, namely, that if the arbitration lasts as long as most of these arbitrations do there will be no lobsters left when the award is given. A most serious question lies beneath the words "and the other subsidiary matters." Other subsidiary matters mean the whole Newfoundland question. It is to be regretted that in this House maps cannot be produced,

because in a matter of this kind hon. Members are, so to speak, at sea, as they do not know the bearings of the different points. Newfoundland is a triangle; one side faces West, one East and one South. The West shore is the shore in question with the French, and the subsidiary matters mentioned in the Bill can only relate to the western shore. The southern shore, therefore, cannot be dealt with, but the great grievance of the Newfoundlanders relates to the southern shore. Off that shore the two French Islands, St. Pierre and Miquelon, have become great places for smuggling, and here the French fleet congregates before the fishery. They can only get their first catch on the bank by obtaining the bait on the South shore of Newfoundland. As a consequence, the Newfoundlanders can get the whip hand over the French by putting a stop to the export of the bait. Negotiations are at present being carried on with the French Government, and I hope they will lead to a re-arrangement whereby this matter may be settled, so that the merchants of each country may be placed upon a level. The Newfoundland people say if there is to be arbitration at all in these matters it should include the question of the southern shore, which affects the whole population of the Island. The French will not agree to this. Her Majesty's Government say, "We will read this Bill a second time," thus practically giving Newfoundland away for the second or third or fourth time in the history of the Island. Is it a matter for wonder that the Newfoundlanders get irritated when they are treated in this way? The details of this Bill give extraordinary powers to the Government—powers which will enable the Government by an Order in Council to pass over the head of the colony entirely to carry out any award of the arbitrators. How do we know that the arbitration may not result in some concession of land? Her Majesty's Government may even go so far as to promise bait for the French. The only chance the people of the colony have got would in that case be taken away from them. The people of Newfoundland live a life of great hardship under conditions which are not borne, so far as I know, by any other colonists in this Empire. They are the finest race of men I have seen, and I have been much about the world. Are these the men whom you want to force into antagonism with the Empire? Surely not. Why do you press forward a Bill, then, which is to take away from them the control of the only valuable element in their arrangements with America? The argument that applies to France applies to America. If you are going to have an arbitration which may take away from Newfoundland what is the very essence of its power, can you wonder that the people should ask you to stay your hands before further damage is done? I must vote against the Second Reading of this Bill, and I am sure if hon. Members opposite understood the question as I do they would join with me rather than consent to oppress a people which is so worthy of their sympathy.

(6.29.) MR. MUNRO FERGUSON: I should very much regret if anything had fallen from hon. Members which gave sufficient justification for the Government to refuse the adjournment of the Debate, and if there were any means by which discussion could be avoided I should only too heartily agree to avail myself of them. At the same time as the adjournment has been refused I feel obliged to vote against the Second Reading of the Bill. No reason seems to me to have been given for forcing the measure forward. I protest against the manner in which the Colony of Newfoundland has been treated by the Government; I quite agree with all that has been said as to the colony being harshly treated. It would have been impossible to adopt such a high handed policy towards Australia or any of the other more powerful colonies. The language used towards Newfoundland has been most irritating, and unworthy of the Party which professes to safeguard the interests of the colonies. I do not wish to say anything calculated to increase the irritation; but we contend that the Government of France is being encouraged by the action of Her Majesty's Government to maintain impossible claims against Newfoundland. No doubt due regard must be had for our Treaty engagements with France, but the latter country is being enabled to pursue a high-handed policy in Newfoundland totally incompatible with the

prosperity of the colony. If the present state of affairs there is indefinitely prolonged, it will be matter for deep regret. France must understand that she must make some concessions in the interests of the development of the Island.

(6.35.) SIR G. BADEN-POWELL (Liverpool, Kirkdale): I hope that the House will not be forced to a Division. Hon. Members have had the opportunity of entering their protests, and I hope they will be satisfied, and not attempt to interfere with the friendly arrangement that has been come to. I strongly deprecate the language used by the right hon. Gentleman the Member for Derby. He says he is not opposed to the Bill, and, at the same time, declares it to be unnecessary and wanton. I do not approve of all that has taken place in regard to the negotiations with Newfoundland, but the delegates are now in cordial agreement with the Imperial Government, and I hope this House will fall in with the arrangement that has been come to. Having arrived at the point when the discord has been happily settled, I think the House should do nothing to upset the arrangement. The colony of Newfoundland itself desires that the opinion of Parliament should be expressed on this matter, and, in agreeing to the Second Reading of this Bill, this House will merely show that it recognises, like the House of Lords, our duty of carrying out the Imperial obligations of the country. This Bill, by its provisions, contemplates a future permanent settlement of this question, and I earnestly trust that, by means of arbitration or otherwise, this unfortunate Newfoundland difficulty will before long be brought to an end for ever.

(6.40.) MR. W. A. McARTHUR (Cornwall, Mid, St. Austell): It is difficult to refrain from wishing to express an opinion on this question. I have no connection with Newfoundland or any interest in it, but I would point out that this is a matter that affects not Newfoundland alone, but the interests of our other self-governing colonies. I appeal to the Government even at this, the eleventh hour, not to press this Motion. They have shown that they are backed up by a large majority, and they can enforce anything they like, and they can, therefore, afford to be generous, and settle the difficulty by adjourning the Debate. I certainly do not approach this or any other colonial question in any Party spirit, but I cannot support such a Bill as this. It is absolutely idle to talk of our not dividing against the Bill. Anybody who has any sympathy with our colonies which enjoy free institutions must divide against such a Bill as this. I hope, therefore, that even at the last moment the Government will agree to adjourn the subject. Newfoundland has certainly been treated in a harsh manner. It is part of the Empire, and is entitled to the favourable consideration of the Imperial Parliament. What course would the Government have pursued if this had been a question affecting an English county? Would Parliament force upon the County of Kent legislation which is unnecessary, and which is intended to compel Kent to do what it was of its own free will doing? Certainly, from the point of view of those who desire to see Imperial Federation, this proposed legislation is a lamentable and disastrous mistake. If, instead of France and Newfoundland, the countries concerned in this matter had been Portugal and Australia, can any one suppose that the latter would have been subjected to a Coercion Bill of this kind in order that the susceptibilities of the Portuguese might not be hurt? The policy of the Government on this occasion will show the self-governing colonies that it is of no use to fall in with the views of the Imperial Parliament. It will teach them that when they have done everything which the English Government wishes them to do, they are still liable to be coerced at the hands of the Government and of this House. I regret that the Government do not feel able to agree to the compromise which I have suggested. I agree that it would be best to avoid strong language on this occasion, but I find it absolutely impossible, compromise being refused, to refrain from using language which is a little hard. I shall be compelled to vote against the Second Reading of the Bill, and I hope that many other Members also will feel that were they to vote for the measure they would be supporting what really is an insult to a self-governing colony, and doing all they possibly can to break up the Empire of which they profess to be so proud.

(6.47.) THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I think that the language of the hon. Member who has just sat down was hardly in keeping with the conciliatory intentions with which he said his mind was full. The Government wish this Bill to pass the Second Reading, not, of course, for the purpose of irritating or offending the colony, but to insure that the arrangements come to between France and England shall be made watertight, and put beyond the chance of miscarriage. On March 11th there was signed the Agreement between England and France, which declared there should be arbitration for the purpose of removing the difficulties that had arisen with respect to Newfoundland; but by the terms of the Agreement the arbitration is not to be set on foot until the assent of the Imperial Parliament to the Agreement has been obtained. Similarly it was agreed that the approbation of the French Chambers was necessary, and a Bill has been introduced in France accepting the arbitration and the decision which the arbitrators may come to. The Government now, with the assent of the Newfoundland delegates, ask the House of Commons to read this Bill a second time. Up to the present this House has in no form given its approval to the arrangement of March 11th for arbitration; and the whole object which the Government have in view in asking that the Bill be read a second time is to obtain the approval of the House to that arrangement by which the unhappy international disputes that have arisen are referred to arbitration. That is recognised by the Newfoundland delegates as well as by Her Majesty's Government. Sir W. Whiteway, in his letter to the Colonial Office, which has been read, says—

"Her Majesty's Government will withdraw the Bill now before the House of Commons after its Second Reading."

*MR. A. STAVELEY HILL: May I point out that the views expressed in that letter did not originate with Sir William Whiteway. They were not his in the first instance.

MR. MATTHEWS: I feel sure that Sir W. Whiteway, whom some of us know and all respect, would be the last man to say that the agreement which he has made, and which stands recorded above his signature in the letter addressed to the Colonial Office, is an agreement which was not fully recognised by him.

*MR. A. STAVELEY HILL: Certainly.

MR. MATTHEWS: But I must decline to discuss the motives of Sir W. Whiteway and the other delegates from Newfoundland. I should imagine that they have as good reason as this country or France to take care that this arbitration for the purpose of settling all disputed points in connection with the fishery should not miscarry. But that arbitration will lack its very foundation if we do not secure the approval, not merely of the British House of Lords, but of the House of Commons as well, to the arrangement upon which the arbitration is based. In the Second Reading of the Bill there will be no disrespect or slight to Newfoundland. I earnestly appeal to hon. Members not to be more Newfoundlandish than the Newfoundlanders themselves, not to insist upon what the delegates themselves have not insisted upon, and not to oppose what is surely a wise and proper provision, namely, that the approval, not merely of one House of Parliament, but of both Houses, shall be obtained before arbitration is proceeded with. I hold that to pass this Bill unanimously without a Division is the only proper and becoming course for the House of Commons to take.

*(6.59.) MR. ROBY (Lancashire, S.E., Eccles): I only wish to refer to one short point. The Home Secretary says the assent of Parliament must be obtained before the arbitration can take place. That assent can only be given by Act of Parliament. The mere Second Reading of the Bill will not be sufficient; so that if the right hon. Gentleman's view is correct, the Bill cannot be dropped but must be carried into law. The Government will be able to give effect to Lord Salisbury's words, so far as the spirit and the meaning of them are concerned, without pressing us upon this side of the House, and, still more, and, in fact, what is the only important matter, without pressing upon the Colony of Newfoundland, the Second Reading of a Bill, which it is known to the Government as well as to all others, is viewed by them with the utmost dislike. Either you must pass this Bill into an Act, or

it will be sufficient in some form of words to assure those who are concerned in the matter that the House of Commons will eventually be found ready to give effect to the Foreign Minister's declaration.

(7.5.) MR. D. CRAWFORD (Lanark, N.E.): I greatly regret that the Government have not consented to the Adjournment of the Debate. I wish to treat the matter in a conciliatory spirit, and I think I can show reason why the matter should not be pressed to a Division at the present time. In the first place, it was distinctly understood that the Second Reading was not to be brought on until to-morrow. The delegates were to be heard at the Bar to-day, and then, if the Second Reading was deemed necessary, that was to be done to-morrow. We have not the requisite materials to enable us to decide the Second Reading. There is a great deal of correspondence which is not yet before Parliament, and we are not able to judge how far the delegates are right and how far the Government are right. At first the Government told us, "We are anxious to have this Newfoundland Bill"—the Coercion Bill, as it is called —"passed by the Newfoundland Parliament, and if they do not pass it then we shall read this Bill a second time, so that we shall be able to put this compulsion upon them." I think that was not an unreasonable position. But it is now shown that the Newfoundland Parliament have passed the Bill, and accordingly a new reason is discovered by the ingenuity of the Home Secretary. The right hon. Gentleman tells us that the reason is that there is an undertaking with the French Government that this Bill should be passed by both Houses. This reflects great credit on the well-known ingenuity of the Home Secretary; but the idea is more remarkable for its novelty than its soundness. Was it ever heard of in the House of Lords? Were we told there that the Bill must go down to the House of Commons and be there read a second time? Was it not, on the contrary, understood that if Newfoundland did what it was asked to do this Bill would not be pressed to a Second Reading in that House? That was clearly understood, and I think, under the circumstances, the only reasonable and fair course for the Government to adopt, is not to proceed further with the discussion of this Bill.

(7.15.) MR. LABOUCHERE (Northampton): I certainly did not come here with the slightest intention of opposing the Government in this matter. Up to now I have agreed with what the Government have done. I think that if Newfoundland refused to France the exercise of her Treaty rights then England ought not to be dragged into war in defence of the Newfoundlanders in taking that course. Therefore, I came to the House certainly with no intention of opposing the Government. But I am surprised at what the Government have done this evening. I should have thought that it would be better to agree to the Adjournment of the Debate. We have heard that the delgatates have been forced, by an *ultimatum* put before them by Lord Knutsford, into assenting to the Bill being read a second time. I think the Home Secretary admitted that. [MR. MATTHEWS: No.] The only plea that has been put forward for the course the Government are pursuing is that they are obliged to get the Second Reading under their agreement with France. I think we might assure France without any species of penal enactment with regard to Newfoundland. By carrying the Second Reading we should not convert the Bill into an Act. Surely a Resolution passed by both Houses is quite as important as a Second Reading, the Newfoundlanders having passed the Bill that they are required to pass. I think the Government would act wisely in agreeing to the adjournment. The Home Secretary urges us to agree to the Second Reading unanimously, but we shall not agree to the Second Reading unanimously. I repeat that it would be better for the Government and for Newfoundland to adjourn the Bill than to carry the Second Reading by a Party Division.

*(7.20.) MR. W. H. SMITH: We are exceedingly anxious to avoid all inconvenience of the kind referred to by hon. Members opposite. The right hon. Gentleman the Member for Derby used some strong language as to the course the Government have taken; but as the Chancellor of the Exchequer said, if we were to recriminate in matters of this kind we should excite passions in New-

foundland which we desire to have allayed, and which we hope we have allayed. I earnestly hope the House will accept the proposal of the Government in carrying out the agreement with the delegates themselves, and read the Bill a second time. The hon. Gentleman opposite objected that if the Bill was read a second time it ought to be pressed through all its stages. We are not of that opinion. We accept the Second Reading as a complete performance of the engagement we have made with France. We are responsible for the engagement now existing with France. I must now notice some observations which fell from hon. Gentleman as to coercion. There is no coercion in the measure of Her Majesty's Government. It must be remembered that Treaties exist with regard to Newfoundland; they are Imperial Treaties carrying with them Imperial obligations, and they are binding upon the Government of Newfoundland as completely as they are binding upon us. They are not Treaties of our making, and when observations are made with regard to the naval officers on the Coast of Newfoundland, I must ask the House to do justice to services from which both Newfoundland and this country derive the greatest possible benefit. Every one who knows the services which our naval officers render will admit that they carry out the Instructions which are given them in the most satisfactory way, and that they always have a regard for the interests of the people which they are sent to protect. The officers on the Newfoundland Station have been selected by every Government, I believe without exception, with due regard to their discretion and their judgment. Their first object is to protect the fisheries of Newfoundland; they are there in the interest of Newfoundland and at the expense of this country. What disadvantage would it be to this country if the French were to encroach on Newfoundland? We should not suffer severely, but the inhabitants of Newfoundland would be the sufferers. It is in order that the French might not strain their Treaty rights that our naval officers are on the coast of Newfoundland. I hope this House will do justice to the judgment and discretion of our naval officers. The right hon. Gentleman spoke of "the intolerable position" of Newfoundland. I think the language the Government have held is sufficient to show that we have the greatest possible sympathy for the difficult position in which Newfoundland is placed, a position which is not the creation of herself or of us. No man living has defined the rights of the French on that coast, and every Government in this country has used all the means in their power for the alleviation of the intolerable position of Newfoundland. That is the desire of Her Majesty's Government, and that is the object of this arbitration. We do not desire in the slightest degree to trench on the liberties of self-governing colonies, or to make light of their sufferings or misfortunes. On the contrary, we desire to do everything in our power to alleviate them. I have now only to notice one or two remarks with regard to the Colonial Office. I can understand that certain gentlemen are not satisfied with the Colonial Office because they do not gain all that they desire at once. But speaking for myself and my colleagues, we believe that the Colonial Office has been animated with the most sincere desire to advance the interests of the colonists, and it was in the interest of the colony itself that the course which has been pursued should be taken. The hon. Member for Leith said that, Newfoundland having local government, we encouraged France to strain her rights under the Treaty. I deny that to be the case. With regard to the lobster fisheries, first and last, we deny that France has any right whatever to them. Language of the kind used by the hon. Member is most unfortunate. We are on good terms with France; we wish to remain on good terms with France. We believe the country desires it, but that is not inconsistent with maintaining the interest, not only of the colony, but of the Empire at large.

(7.27.) MR. BRYCE: I do not propose to enter into any of the questions with which the right hon. Gentleman has just now dealt. But a new direction has been given to the Debate, and a new light cast upon our position, by the speech of the Home Secretary. I wish to say a few words to the House from the diplomatic point of view, and to suggest what I believe to be a better way out of the difficulty. Clauses requiring the approval of Parliament are

daily inserted in diplomatic Agreements. They are put in to secure Parliamentary control, and to prevent the Executive from being charged with bad faith. That is almost the common form of Agreements, for the benefit of the party that makes the declaration, and not for the benefit of the other party. It is entirely out of the question that the Government of France should insist that the sanction of Parliament should be given to this Agreement. If that were inserted, it would enable us to escape from every Agreement if Parliament desired. It will be in the recollection of the House that questions were frequently asked about proceeding with the Bill, and the answers of the right hon. Gentleman were either that, unfortunately, it would be necessary to proceed with the Bill, or that he hoped it would not be necessary. The House understood the right hon. Gentleman to mean that the object was to pass an enactment to enforce the *modus vivendi*. But that is a question altogether between Her Majesty's Government and Newfoundland, and France has no right to say aye or no. The argument of the Home Secretary would go to prove that, even if an Agreement had been made with the Newfoundland Legislature, it would be equally necessary to pass the Bill. But if France is entitled to require the passing of the Bill, her claim would not be satisfied by merely passing the Second Reading. The approval of Parliament means carrying the Bill through its final stage. This is not a Bill to approve of an Agreement; it is a Bill to make certain changes in the law of Newfoundland. The right hon. Gentleman himself, in answer to my right hon. Friend the Member for Derby, said it would be possible to hear the delegates on the first clause in Committee. Clearly, therefore, the right Gentleman cannot suppose that the Second Reading is enough. We are not asked to pass the Bill as a declaration of Parliament, but only to enable the Government to complete a bargain with Newfoundland. I submit that, on diplomatic grounds, the necessity for the Second Reading of this Bill does not exist, and that we are left face to face with the fact that we are passing a Bill which will excite strong feelings of disapproval in many parts of the British Empire. We all recognise the extreme difficulty of these questions; but I venture to suggest that the object would be best attained by passing a Resolution of the House declaring its readiness to sustain the Government in carrying out its arrangements for the Arbitration and in the discharge of Treaty liabilities, while taking note of the fact that the Newfoundland Legislature has passed the Act required. I believe there are many men opposite who wish to avoid, as we do, giving offence to the colonists, and, therefore, it is in the interest of the House, as well as of the colony itself, that we should avoid passing the Second Reading of a Bill which will cause irritation and annoyance in Newfoundland. I, therefore, venture to embody these views in a Resolution, which I will move as an Amendment.

Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words "a satisfactory Act having now passed the Legislature of Newfoundland, this House, declaring its readiness to support the Government in taking all measures necessary for carrying out the Treaty obligations of this country, and the arrangements for Arbitration made with the Government of France in this matter, does not now proceed to the Second Reading of the Bill,"—(*Mr. Bryce,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

*(7.33.) MR. TOMLINSON (Preston): As a question of order, I would ask whether the passing of the Resolution would not destroy the Bill?

*MR. SPEAKER: No, I think not. The Bill might be revived in given circumstances.

*(7.34.) MR. W. H. SMITH: I think that in a matter of extreme gravity as this is, a minute or two might be spared to consider a proposal which is made, as I believe, in the interests of peace on the part of the hon. Gentleman and those with whom he is acting, and without in the slightest degree seeking to tie the hands of the Government. The only part of the Amendment as to which I feel any difficulty is that it is a record of the fact that a satisfactory Act has now passed the Legislature of Newfoundland. I have no doubt an Act has passed, but we have no positive in-

formation on that point. We have the assurance of the delegates that it has passed. I read a letter which was written yesterday, in which it was proposed to pass an Act of the kind. A letter has reached us to-day, in which it is said that a Bill has been passed; but I think hon. Gentlemen will understand that under these circumstances we are obliged to proceed, not with distrust of the delegates, but with some caution and common prudence. It is obvious that we must see the Act before we can part altogether with the Bill, and with the power which the House properly reserves to itself for dealing with the question.

*MR. A. STAVELEY HILL (interposing, producing a paper): This is a copy of the Act. One provision which was suggested only yesterday afternoon is now in the Act.

*MR. W. H. SMITH: I am not at all questioning the assurances which have been given by the delegates, but the Government is responsible; and I think the fact that this information is by telegraph alone is sufficient to justify the exercise of common prudence and common care. Therefore, without implying any distrust of the delegates, I should suggest that the Resolution be amended as follows:—

"That this House, having been informed that a satisfactory Act has been passed,"

and so on. That, Sir, I understand, will leave the matter in this position—that if we find it necessary to ask the House to consider the Bill on a future day this Session, we shall have full liberty to do so.

*MR. SPEAKER: That is so.

*MR. W. H. SMITH: It would, perhaps, be more satisfactory further if we substituted for the concluding part of the Amendment the words "adjourn the Debate." ["Hear, hear!"] That being assented to, I have now to say, on the part of the Government, that we accept readily and cordially the Amendment of the hon. Gentleman, which in our judgment leaves us with the authority necessary to enable us to proceed with the Arbitration at once, because any delay in regard to the Arbitration would be a serious matter. I therefore, on the part of the Government, accept the Amendment as amended.

*MR. SPEAKER: On the point of order, the adjournment of the Debate is never, as a matter of form, given with a motive.

*MR. W. H. SMITH: I accept the suggestion.

MR. BRYCE: I accept the alterations of the right hon. Gentleman.

*(7.40.) MR. SPEAKER then put the Amendment as follows:—

"To add to the end of the question that this House, having been informed that a satisfactory Act has now passed the Legislature of Newfoundland, and declaring its readiness to support the Government in taking all measures necessary for carrying out the Treaty obligations of this country and the arrangements made with the Government of France, does not now proceed to the Second Reading of this Bill."

Question put, and negatived.

Words added.

Main Question, as amended, put.

Resolved, "That this House, having been informed that a satisfactory Act has now passed the Legislature of Newfoundland, and declaring its readiness to support the Government in taking all measures necessary for carrying out the Treaty obligations of this country, and the arrangements for Arbitration made with the Government of France in this matter, does not now proceed to the Second Reading of the Bill."

FACTORIES AND WORKSHOPS BILL.

(No. 315.)

CONSIDERATION.

Order read for consideration of Bill as amended.

*(7.41.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): We propose to take this to-morrow.

*MR. TOMLINSON (Preston): Do the Government really propose to proceed with this Bill to-morrow? I ask, because it is a matter of great importance to many Members to know when it is to come on. Those who were expecting that it would be taken to-day will wish for sufficient notice of the actual day for taking it.

*MR. W. H. SMITH: I gave an assurance to hon. Members on this point two or three hours ago. The Bill will not be taken till to-morrow.

Consideration deferred till to-morrow.

SUPPLY—CIVIL SERVICE ESTIMATES.

Considered in Committee.

(In the Committee.)

CLASS VII.

Motion made, and Question proposed,

"That a sum, not exceeding £50,000, be granted to Her Majesty, to defray the charge which will come in course of payment during the year ending on the 31st day of March, 1892, for expenditure upon certain public works, and for improved communications, within the Highlands and Islands of Scotland."

(7.44.) MR. CALDWELL (Glasgow, St. Rollox): I had hoped that on this Vote the Government would have explained a little more fully than they have done hitherto their policy as to these works, as this is not a question which should be dealt with piece-meal. It should not be looked upon as a question of the profit or advantage of a number of individuals, but as one of advancement of works for the benefit of a large portion of the United Kingdom, of the amelioration of the condition of the people living in the congested districts of Scotland, and of permanently improving the resources of the country. Viewing the matter in that light the first point I would ask the Government to consider is whether it is of advantage to the country to retain the people in the Highlands and Islands? On that point I would go over very briefly the advantages to be secured by maintaining these Island homes. In the first place there is the Army to be considered. Everyone will admit the importance of the Islands as a recruiting ground. You find in those parts of Scotland where the Highlands have become depopulated that there is a scarcity of recruits, and the stature of the men has become considerably lowered. As to the Western Islands they contribute largely to the Naval Reserve, and you actually have an application from the Island of Lewis for the establishment of a training ship there. Then, again, you find that four-fifths of the Police Force of Glasgow come from the Western Highlands and Islands, and you find that these men are not to be excelled in any other part of the United Kingdom for physique and stature. Therefore, as a recruiting ground the Highlands and Islands are of immense importance. Then you find that these districts supply a large amount of skilled and unskilled labour to the industrial centres of Scotland and elsewhere, and that they supply a large proportion of the servant girls to Glasgow and to the large towns. I venture to say that there are more domestic servants coming from there than from any portion of Scotland. In the Eastern portion of the country also, the Highlands and Islands supply a large proportion of the factory hands. But in the case of domestic servants, the supply is getting short—the demand is greater than the supply. I think, therefore, that it is to our interest to preserve these Highland and Island homes. The crofters do not remain at home all the year round. Some of them go fishing on the East coast, others go to the large towns, whilst others devote themselves to the making of railways, for which they are particularly adapted. We find, on inquiring into these matters, that the men employed on the railways live on the lowest possible allowance, and send home large sums through the Post Office. They live at home in comparative poverty — I do not say this for the sake of making them appear objects of charity—and are largely supported by the savings of their children, who go out as domestic servants. I mention these facts as showing the importance of the crofting districts, as a matter associated with the well-being of the country at large, and as against the policy which some hon. Members would pursue, of emigrating these men from the Highlands and Islands, and the policy which prevailed before the passing of the Crofters' Act. We find that the crofts are only in a condition of cultivation through the energy of the crofters, and that the policy of the landlords has been to get rid of them wherever it was possible—a policy for which, from a certain point of view, we cannot blame the landlords. The poor rates and the School Board rates are exceedingly high in these districts, and if the landlords can get rid of the crofter element and convert the crofts into sheep farms, they will get rid of a permanent burden. One of the objections to deer forests is that their effects on railways are prejudicial, and that they practically prevent any railway being profitable that passes through them. Where there were formerly villages and farms there are now nothing but deer, with occasionally the lease-

holders and their friends living there. In dealing with this matter, I do not advocate that the Government should give charity to the crofters; but I am in favour of their developing the resources of the country not for the present merely, but for all future time. It is not charity to individuals to increase postal and telegraphic facilities, and the people pay as much as anyone else. And so with harbours. The people do not ask that harbours should be provided for them free, but if harbours are provided on the West Coast in the same way as on the East Coast the fishermen are prepared to pay a tax upon each boat that enters them. Nor do the people ask for railways free. They are quite ready to pay 1d. a mile and the usual charge for goods. All they ask is that, considering the particular circumstances of the Highlands and the inability of the people to provide these things for themselves, they shall be provided by the State. Experience has shown that the provision of railways and postal facilities will tend to develop the Highlands. Nothing so developed the Highlands half a century ago as the making of the Highland roads. The Government paid half the cost of those roads, and the landowners paid the other half. A large contribution was made by the Government towards the maintenance of the roads until about 20 years ago, when it was felt that such an improvement had taken place that all charge on the Exchequer for maintenance could be removed. If we look at a map of Ireland we find in the congested districts an absence of railway facilities similar to that which exists in the Highlands. Railways are as much necessary now as roads were when the Highland roads were made. As regards the fishing industry, I would point out that around the Island of Lewis and the Island of Skye you have the best fishing ground in the United Kingdom. What is required there is that there should be a certain amount of harbour accommodation and also a certain amount of shelter. Hitherto crofters have combined their crofting with fishing, and it certainly would be of great advantage that fishing should be cultivated as an industry apart altogether from the croft, the croft being a minor means of labour whereby the crofter keeping a cow should produce milk and butter and keep poultry, &c., for the use of his family. Therefore the proposals of the Government, so far as they go, to extend and enlarge the harbour at Ness, to construct a harbour or landing stage at Carloway and at Portraguran, would be quite sufficient to meet immediate wants, for it is better to have good harbours where the fishing industry is concentrated than to have a number of small harbours here and there. The Atlantic storms are severe on this coast, and in addition to these harbours you should have a certain number of boat shelters, which, as the Commission have shown, could be provided at a cheap cost, and these shelters would enable boats of large size for deep sea fishing to ride at anchor sheltered from these storms when they come in. The difference between the West coast and East coast fishing is that on the West coast there are no harbours or shelters, and the crofters when they come in from fishing must haul up their boats on shore; and when they put out again they must stand knee-deep in the water and put in their ballast, and in stormy weather it is as impossible to get the boats off, as it is to bring the fish in, without the greatest danger of the boats being knocked to pieces. It is said sometimes you may find the East coast fishermen fishing off the West coast, while the West coast boats are on shore. Quite so. But the East coast fisherman has a big boat and a harbour where he can anchor it, and so he can prosecute his industry, while his less fortunate brother on the West coast cannot get off shore. This is one of the first conditions in order to develop the fishing on the West coast—which is the best in the United Kingdom—the provision of suitable harbour accommodation. I think the Government are alive to the advantage of harbours. I could not venture to ask them to enlarge their area for harbours, but in the meantime boat shelters to the construction of which the people would contribute a considerable portion of the labour could be provided, in the opinion of the Commissioners, for from £500 to £1,000; and in the leading centres of the fishing industry I think these might be constructed. Here, however, I must part company with the Government proposals.

The proposals of the Government which I admit are founded on the recommendations of the Commission. Assuming the fish are brought into harbour, the next step is to get the fish to market as speedily as possible. The proposal of the Government is that these harbours shall be connected with Stornoway by steamers going round the Island, and here local opinion is entirely at variance with the Government proposal, and those who know the nature of the sea there know it is an impossible plan. Take the best steamer you have there that plies between Strome Ferry and Stornoway; why it is a mere tub on the water and often unable to contend with the waves. It was all very well for the Commissioners to visit the Western Islands at a season of the year suitable for yachting, and in fine weather on board the Admiralty yacht *Enchantress* nothing seemed more pleasant and suitable to them than communication between different points of the coast by sea; but if they had had my experience of crossing from Strome Ferry to Stornoway with the sea breaking over the deck and passengers having to be battened down, I do not think they would have recommended this steamer communication round the Island, No steamer could keep up such a means of communication without a great sacrifice of time, and the delay would be such in some weather that the fish would be unfit for market before it could be delivered. Through disregarding local opinion the expenditure at Ness was rendered useless because, as was pointed out, the harbour silted up, then a second expenditure was incurred there, and now further expenditure was proposed. Local opinion is now unanimous in favour of connecting the harbours at Ness and Carloway with Stornoway by means of a light railway. The distance from Ness to Stornoway is about 25 miles, and from Carloway to Stornoway about the same distance, and by means of such a railway either of these would be within a couple of hours communication with Stornoway and the South. The fishing industry would greatly benefit by this, and so would the intermediate agricultural district; the line would traverse between the points I mention, and eggs, butter, poultry, cattle, and all the dairy produce of the Island would have a ready means of transit to market. The expense of such a light railway may be estimated at £3,000 a mile, or £150,000, and that at $2\frac{3}{4}$ per cent. means £4,000 a year. Then take the Island of Skye, a similar distance would have to be traversed connecting Glendale and Uig with Portree, the headquarters of the Mail Packet Service. And so for an expenditure of £300,000, or at a cost of £8,000 a year, you have a speedy means of communication between the harbours and the mainland. The proposal here is that a sum of £10,500 a year shall be devoted to a subsidy for steamer communication, but the means of communication I suggest would serve practically the whole of the Islands at a less cost. We know what a railway will cost, but the capital sunk in harbour works must always be an uncertain amount. Local opinion is unanimous that as a means of speedily conveying an unexpectedly large catch of fish to market the steamboat will be useless. Nor had the Commissioners any strong opinion that the steamer communication would meet the requirements; they took the view that it might be tried, and if it did not do then the steamer might be withdrawn and matters left as they are. But there is no doubt the steamer will not answer the purpose, and why then go through the pretence of making this connection? Simply, you are undertaking expenditure upon harbours without providing the means of sending fish from thence to the leading centres of the Islands and the southern markets. As the boatmen are willing to contribute a reasonable amount towards the cost of the boat shelters, so the population would contribute towards the original cost of the railway. Then the last point I mention is the mainland communication. The theory is, I presume, that by communication with Stornoway and Portree, the whole produce of the Islands of Lewis and Skye would be spread through the district, and there are proposals for opening up the means of communication on the mainland. It happens that, because of the geological formation, it is not possible to run a line along the West coast, as has been done on the East coast, and you can only make railway communication from the centre of Scotland to points on the West coast here

and there. Now, there are two schemes to consider—the Mallaig route and the Ullapool route. With regard to the Mallaig route, the railway is already made to Fort William, and thence must go North or West, and, accordingly, the Railway Company propose a terminus at Altbea, with communication with Ullapool and Kyleakin. Negotiations with the Highland Company have not been satisfactory, and the Mallaig route would be 110 miles nearer the Southern market for the Islands than any Highland Railway Company's station. The traffic in itself would not pay, but I think if the Government would encourage competition between the Highland and the Great Northern Company, and the construction of a railway upon the basis of a third of the cost being met by the Government, a third by the Company, and a third by the landed proprietors, full benefit would be secured by the Islands of Skye and Lewis and the mainland districts. I may also mention the necessity for improving the postal communication with Uig. The proposal to spend £15,000 upon the road from Stornoway to Carloway is condemned by local opinion as absolutely useless, so far as it will affect the fishing industry. If the Government are prepared to spend £15,000 upon roads there are other districts where the outlay would be useful. But as a means of intercommunication this road will be useless; to convey fish from Carloway would be too expensive by this means, and horses cannot always be ready to convey an unexpectedly large take of fish. I hope the Government will look at these matters in the light of public policy for the development of the industry of these districts for all future time; and the improvements, whatever they may be, which are ultimately adopted for the purpose of developing the congested districts of Scotland, should not be carried out at the expense of Scotland alone, as has been suggested, but should be charged upon the Imperial Exchequer, as has been done in the case of Ireland. (8.29.)

(9.1.) DR. McDONALD (Ross and Cromarty): I have no intention of going over the extent of ground traversed by the hon. Member for the St. Rollox Division, though there are many things that should have been considered and are not contemplated. We have been promised so many things in the Highlands by Liberal Unionist proposals that I am afraid there will be very considerable dissatisfaction when the boon to the Western Highlands is found to be so small, and I do not think any of my Colleagues will be as satisfied with the result of the influence of the right hon. Gentleman the Member for West Birmingham as the *Birmingham Post* is. The value of the harbour accommodation is small when it is unaccompanied by the speedy means of sending fish to market. More fish may be landed and salted, but this is by no means so satisfactory a method of dealing with it as by sale in a fresh state. I must say in reference to the whole amount for the Highlands that we think the benefit will be very little, especially when dealing with points we shall come to later on. With regard to railway communication, I hope the Government will endeavour to give us the second line to the West coast; they should remember that, in dealing with the Highland Railway Company, they are dealing with a very hard customer, and the monopoly that Company enjoys has continually stood in the way of improved communication. I hear that the Highland Company have refused to work the projected line except at an exorbitant sum, and that the Great Northern have volunteered to do the work at a much smaller sum; and I also hear that influence is being brought to bear upon the Government to get them to go back to the Highland Company from the offer of the Great Northern. But I hope and trust the Government will fulfil their moral contract with the Great Northern. The improvement of the means of communication will give us the utmost benefit, and without this the harbour improvements will only be to the advantage of the villages near. There is one particular purpose for which I cannot understand why the Government are pressing money upon a locality—I mean the road from Carloway to Stornoway. I cannot understand why the Government are stubbornly insisting, against the advice of everybody in Lewis, on spending £15,000 in reconstructing a road which is good enough already for

all purposes. It is true that there are hills; but if horses have to walk up a hill they can trot down it, and there is no use in reducing the gradients. The District Council protest they do not want the money for the purpose; but Government give them to understand that if they do not use it in this way they shall not have the money at all, and, of course, in the interest of the district, as it will provide a certain amount of employment, the money will not be absolutely refused, but they do not conceal the opinion that in any other sense the outlay will be wasted. It has been hinted that the Government intend to make a tramway on this road later on; but the First Lord of the Treasury, in answer to a question, said distinctly that it was not their intention to do so, and the gentleman in charge of the works, Colonel Malcolm, has also said he knows of no such intention. The Commissioners recommend that these proposals shall not be carried out without the consent of the County Councils or Harbour Authorities, and practically local agreement, but here local opinion is dead against the proposal, and yet the Government persist on the money being spent neither on piers and harbours, which would be useful, or in making roads in those parts of the island where there are absolutely none. There is one district in Lewis where there is not an inch of public road, and where the population of 2,000 persons make their way through moor and bog as best they can. I myself, when I went there, had to hire a special steamer from Stornoway as the only alternative to wading through the bogs. Many of the people there have never seen a road. Yet the Government stupidly insist upon spending £15,000 on an existing road in another part of the island, which is good enough for all purposes for which it is required. There is one other point to which I wish to draw attention, and that is, that the Government have failed to carry out the recommendation of the Commission, that there should be a training ship stationed at Stornoway. It is said by the Government that it is too far north; but I am told that there are 1,500 to 2,000 men ready to join the Naval Reserve who cannot be taken up in consequence of this want. There are no better men for the Service in the British Islands than in the Island of Lewis, hardy sailors, and in every way better men than you can get from towns. I hope the Government will re-consider this point in the interest of the Navy and of the Highlands.

(9.18.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*(9.20.) MR. ANGUS SUTHERLAND (Sutherland): I have no intention of going into the general question of the policy of the Government on this Vote, nor do I know that the question of general policy arises, though I may say that if I and my friends had the disposal of the amount allocated we could devote it to much better purposes than are proposed here. But we desire to assist Her Majesty's Government to dispose of the grant to the best advantage. But I limit myself now to a consideration of the Government proposals, as they affect my own constituency, and I think it will be an advantage if Members deal with details with which they are best acquainted. First, in reference to steamer communication, I would draw attention to the maps published in the Commissioners' Report, with routes marked, and particularly to routes 5 and 6 referring to the coast of Sutherland. First, I wish to know whether it is intended to subsidise any steamers on the North and East Coasts of Sutherland. Secondly, with regard to piers and harbours. With regard to piers and harbours, I have little cause to complain. The Secretary for Scotland agreed to include within the scope of the inquiry on that subject the North Coast of Sutherland, and I gladly recognise the reasonable manner in which he met my representations. Three harbours on that coast are recommended. With regard to two of them, the Government agree to advance three-quarters of the cost, but only two-thirds for the third. The difference will only amount to £150 to £200; and I hope the Treasury will see their way to make up that small difference. Then, as to the construction and maintenance of these works, I would press upon the Government the necessity of providing that all the money advanced from the public

Treasury should go directly to these works. I also have to complain that, so far as I know, more stringent conditions have been enacted with regard to Local Guarantees in Sutherlandshire than elsewhere. I do not see why that should be the case. Lastly, I have to complain that no information whatever has been afforded with regard to the construction of railways. I shall be glad to know what the Government proposals on that point are. It has been taken for granted that the lines of railway in any case will pass through Ross, but I do not know whether there is any justification for that assumption. I should have thought the most direct communication with Stornoway would be by Lochinvar; but I hope whatever means of communication are established sufficient guarantee will be taken that the expenditure is incurred so as to benefit the greatest number of people. Upon the points I have mentioned I should be glad to have specific information.

*(9.29.) MR. LYELL (Orkney and Shetland): As representing a constituency specially interested in the improvement of means of communication with the south, I may be allowed to ask for a little more information as to the manner in which this money is to be spent, than has yet been afforded. With regard to the way the money is to be spent I wish to point out that one of the greatest wants in Orkney and Shetland is sufficient means of lighting the coasts and harbours. The sum to be spent on this object is not nearly enough to effect the improvements that are earnestly required. I wish to know whether the sum of £1,000 devoted to this purpose is to be spent in arranging for the erection of the larger lighthouse works along the west coast, and particularly of Orkney and Shetland. The whole of that coast is absolutely unlighted at the present moment. I wish for more information as to how the lighting is to be carried out; and as to what extent the money is to be spent in furnishing harbour and leading lights. I believe the fishermen would be willing to pay a reasonable amount towards providing leading and harbour lights. The improvement of mail communication is on the point of being completed. This is an improvement which the Shetlanders have demanded most urgently, and it promises to be a means of developing the material resources of the islands, by providing them with a better outlet for their fish. I hope the Government will provide some assistance towards the further development of the roads in these islands. The education of the children is greatly retarded because of the defective state of the roads, which make attendance at school very difficult in foggy weather. With regard to the question of railways, my constituents are specially desirous that a railway should be made to Gillsbay in Caithness, believing it will afford a better means than exists at present of despatching their produce to the south, as well as ensure a much more regular departure and arrival of mails.

(9.34.) MR. ESSLEMONT (Aberdeen, E.): I hope my friends representing crofter counties will excuse my intervening with a word of warning to them, and a word of appeal to the Government on behalf of the east coast of Scotland. I must remind my friends in the Highlands that the County of Aberdeen has a larger number of crofters than any of the counties in the Highlands, and that on the east coast of Scotland there are a larger number of fishermen than there are in any individual county in the Highlands. And there is undoubtedly a growing feeling that whenever the people of the east coast are called upon out of their taxation to supply material assistance to the fishermen and crofters of the west, they are neglected themselves and allowed to provide everything out of their own means. There are many fishing communities on the east coast who very much want harbours for the development of the fishing industry, and I appeal to the Government whether year after year three-fourths or two-thirds of the cost—I do not grudge it; on the contrary, I am glad that these Highland counties are receiving assistance — but is this to go on without any assistance whatever being given to the East Coast? We have been assured by the Fishery Board that the case of the East Coast is necessitous, that the conditions under which the

fishermen labour are hard, and they say they have no means at their disposal out of which to give assistance. The hon. Baronet (Sir H. Maxwell), I am sure, will not fail to represent this appeal on behalf of the East Coast to the Scotch Office. The hon. Member for St. Rollox (Mr. Caldwell), who is acting as Commissioner for some one, says one of the things we require for national purposes throughout Scotland is a supply of soldiers. I should be very sorry if we kept up the Highlands of Scotland for that purpose, and I hope my county will not be reduced to the state of poverty which would make enlistment the only refuge for young men. What we want is the development of the industries in the Highlands, in order that more renumerative and more inviting employment may be provided for the young men. I am sure the Members for Banffshire and for Elgin will confirm me when I say there is a strong feeling of discontent all along the coast in regard to the way in which the fishermen there are treated in comparison with those in the Highlands. What they wish is that, if the development of the fishery industry is a national purpose—and I believe there is no purpose for which the funds of the State can be put with greater national advantage—if the Government consider it their duty to apply money to the development of harbours on the West Coast they should put the people on the East Coast in the same position, and especially where the people come forward and offer to contribute their share in the same way as the people in the west they also should be assisted to make harbours. The hon. Member (Mr. Caldwell) says the East Coast fishermen can fish to greater advantage, because they have larger boats, but these larger boats have to be built by the men out of their own means; and the proposal of the Government is to give the fishermen on the West Coast large boats to compete with the East Coast fishermen. These large boats fish from the larger harbours, but there are a great number of fishing towns on the East Coast where the men have not been able to build large boats. They have to fish from their own villages, and they require facilities by which they can carry on their industry in ordinary weather. I do not wish to be supposed to be protesting against anything the Government are inclined to do for the development of the West Coast. I wish to reinforce the remarks of my hon. Friends that in any development of the railway system special attention shall be given to that competition which the Government must know is necessary, and I have noticed with some dissatisfaction that there has been an inclination to throw everything into the hands of one Railway Company for its own special purposes and for the development of its own dividends. I should be neglecting my duty were I not to warn the Government that the feeling on the East Coast is growing in volume, and will some day force itself upon the attention of the Government. They did not grudge the West Coast the benefits it is going to receive, but they require telegraphs and railways along the East Coast for the development of the fishing. They also require harbours for the safety of the fishermen. All we ask is that in applying public money some regard should be paid to fair play. If not, the people of the East Coast will rebel, and ask that they should receive some return for the contributions they make to the Imperial Exchequer, while pressing wants are neglected.

*(9.45.) A LORD OF THE TREASURY (Sir H. MAXWELL, Wigton): I have to reply to some of the questions addressed to me during the progress of this Debate. I cannot help thinking that Scotch Debates, though they may not rival those of other nationalities in liveliness, at all events may be admitted to equal them in the thorough interest and local knowledge which is contributed by hon. Members in regard to their constituencies. It has been remarked that it might have been expected that the Vote would have been accompanied by some explanation of the various items, and of the methods by which the money is to be applied. I must ask hon. Members to remember the somewhat unfortunate circumstances in which we are placed in consequence of the Scotch Department being absolutely unrepresented in the House on the present occasion. We have the combined facts of the prevailing epidemic and the General Assembly now sitting in Scotland

at work on this occasion, so that the Scotch Office is entirely unrepresented. I have not the honour of being in the slightest degree connected with that Office. I only represent the Treasury, which hon. Members are aware is sometimes greatly at issue with the other Departments. The hon. Member for the St. Rollox Division of Glasgow began with a general dissertation on the policy of grants made to the Highlands and the Islands. Into that question, under the circumstances to which I have just alluded, I can hardly be expected to enter fully. At the same time, although I am not a Highlander, I lay claim to be in sympathy towards that race, of which all Scotchmen are justly proud, namely, the Celts of the West of Scotland. The hon. Member for East Aberdeenshire has spoken of the jealousy which not unnaturally exists between the East and the West of Scotland. That constitutes a main difficulty in devoting any public money to the promotion of industry in particular localities. Moreover, that jealousy is not restricted to the East and West.

*MR. ESSLEMONT: It is not jealousy, but simply a question of fair play.

*SIR H. MAXWELL: The hon. Gentleman, however, said that the discontent is growing in strength and importance in the East of Scotland, and will at no distant day force itself upon the attention of the Government. The hon. Member for St. Rollox asks for information as to the principles of the Government in regard to the money to be spent on railway communication, and expresses a hope that those who are charged with the consideration of the various schemes propounded will attach sufficient weight to the importance of competition between lines. That subject is under consideration, but no decision has yet been arrived at. But a small Committee, consisting of Major Hutchinson, of the Board of Trade, Rear Admiral Sir George Nares, and Mr. Tennant, the late manager of the North-Eastern Railway, has been appointed to advise the Government upon this subject. As regards subsidies to Steamship Companies for improved communication, the total expenditure is estimated at £10,500 per annum for a term of years, probably four or five. Of this about £7,500 will be spent upon the West Coast, and £3,000 on the improvement of the Shetland service. Four new or improved services are already at work on the West Coast under a temporary arrangement, which will expire on or before 30th September, 1892. With the experience then gained the whole question will be re-considered, and it is hoped that tenders will be invited from the public for all the services which it may be considered desirable to maintain. The negotiations with regard to the Shetland service are not quite concluded, but it is hoped that they will result in the provision of two additional steamers per week each way in the summer, and one additional steamer in winter. The estimated expenditure for the current year on all these services is not expected to exceed £7,000. As regards grants in aid of public works, the expenditure already sanctioned amounts to £43,000. In addition to this, a certain sum (probably £15,000 or £20,000) may be required for minor works, such as small piers or boatslips; but no decision has yet been arrived at, as legislation will be necessary to enable County Councils or other Local Bodies to undertake the necessary liabilities for the construction and maintenance of the works. It is also possible that a further small grant may be required for similar works in Orkney and Shetland; and an offer of a sum of £2,500 has been made to the Trustees of Lerwick Harbour, subject to certain conditions. The grants for piers and harbours already sanctioned are—£16,500 for the harbour works at Ness, in the Island of Lewis; £2,000 for a harbour at Carloway, in the same island; £,8000 for a pier and breakwater at Gott Bay, in the Island of Tiree; £3,500 for a pier and breakwater at Talmin Bay, in Sutherland; £4,000 for a steamboat pier at Uig, in Skye; £3,000 for a boat harbour at Skerry, in Sutherland; £3,000 for a boat harbour at Portskerra in Sutherland; £3,000 for the extension of the harbour at Scrabster, in Caithness. It is not expected that more than £20,500 will be expended in the course of the present financial year. The expenditure contemplated for the present on light-

houses and beacons is £4,500; but difficulties have arisen with regard to the maintenance of the lights, and the Government are not in a position to announce a definite decision. It is contemplated to spend about £3,000 on the west coast, and about £1,500 in Orkney and Shetland. The first cost of the telegraph extensions which have been sanctioned is £6,662; and the works have already been taken in hand by the Post Office. There will be one new line in the Island of Lewis, two on the west coast of the mainland, two in Skye, one on Orkney, and two in Shetland. An offer has been made to the Local Authority for the improvement of the road from Stornoway to Carloway in the Lews, so as to facilitate the transit of fish from the latter place to the southern markets; but it is not yet known whether the offer of the Government will be accepted. The expenditure on all the above (except piers and harbours) during the current year is expected to be about £20,000. As regards the grants in aid of railways, it has not been possible to arrive at any final conclusion; but the Government have appointed a small Committee consisting of Major General Hutchinson, R.E., C.B., of the Board of Trade, Rear Admiral Sir G. S. Nares, K.C.B., and Mr. Henry Tennant, late general manager of the North Eastern Railway Company, to advise them further on this subject. It is hoped that their Report will be received in time to make a proposal to Parliament in the course of this Session. As to administration, with a view of ensuring that the funds contributed by the Government to the above works shall be efficiently and properly expended, Colonel Malcolm, R.E., C.B., has been appointed, with a suitable staff of assistants, to superintend the works and report from time to time on the progress made with them. The expenses under this head are estimated at £2,500. The new steamer services in the West Highlands include (a) acceleration of present service between Strome Ferry and Stornoway; (b) daily service Oban to Castlebay and Lochmaddy, calling in Skye; (c) daily service round Mull, calling at Coll and Tiree four days a week; (d) Portree to Dunvegan and Lochmaddy three days a week.

Sir H. Maxwell

(10.0.) DR. CLARK (Caithness): I have been waiting for some information before speaking upon this Estimate; but after hearing the hon. Baronet, I must confess that I do not even yet fully understand the policy of Her Majesty's Government. There have been several kinds of policy in relation to this question. There was the policy of the right hon. Gentleman the Member for West Birmingham, who was the author of a plan for developing the resources of the Western Highlands under a Unionist Government, so that they might get some support from the people of that part of the Kingdom. Then we had the hon. Gentleman the Member for St. Rollox (Mr. Caldwell) sent there as a sort of non-official Commissioner, and he made a Report to the head of his own Party. After this we had the Secretary for Scotland proceeding through the district, and he, like the hon. Member for St. Rollox, promised the people all manner of things on behalf of the Unionist cause. Then we had the Commission appointed by the Government, and composed of a body of individuals who knew nothing at all about the Western Highlands, and from them we have had two Reports; and, following on these, we have had the Civil Service Supplementary Estimate, by which the House is called on to vote a sum of £50,000 for the benefit of the people of that district. I should suppose that the cost incurred by these Commissions and others seeking information on this subject, if we could ascertain the amount, would be found to be equal to the amount we are asked to vote. If the Government were proposing to give the County Councils power to spend the money, they would be doing something that might really benefit the Western Highlands; but, as it is, the only result that I can see is that the mountain has been in labour and has brought forth a ridiculous mouse. I believe that my hon. Friend the Member for St. Rollox did obtain some information, and did try to apply it in a useful way, while Lord Lothian also went among the people, and endeavoured to do the best he could under the circumstances. As to the Commission, the people were not at all satisfied with them, and the phrase by

which that last Commission is known is that of the "Flippant Commission." They knew nothing at all about the Western Highlands; they did not appear to want to know; and their Report showed their utter ignorance of the question they were appointed to obtain information about. In fact, they went about treating the people in the most cavalier manner, and the result of this sort of blind leading the blind procedure is that the money expended on this Commission has been thrown away. There is, in the Report of this Commission, a lot of information such as we have had from other Commissions about the housing of the people. We know that in the Western Highlands and Islands any attempt on the part of the crofters to improve their houses is immediately followed by an increase of rent; not that the landlords do this; but the ground officers and factors are in the habit of taking advantage of any opportunity for screwing up the rents, the result being the rack-renting system, which has so long prevailed. I am glad to say that where the Crofters' Commission has been, an improvement is to be found, and the former oppressive rack-rents have been greatly reduced, the people now being able to do something for themselves; but the Commission says—

"They were even more surprised at the reluctance of the people to help themselves than they were at the poor houses in which they lived."

The Commissioners also draw a comparison between the condition of the thrifty, energetic East Coast fishermen, who have such splendid boats and fishing gear, and whose hardy nature and better craft enable them to go out where the western fishermen are afraid to show themselves. Now, I happen to know something of both these people. In Sutherland there are both West and East Coast fishermen, and there the West Coast men are quite equal to those of the East Coast. What I say is that where they are not so well favoured it is the past policy of the Government which has brought them to the condition they are in, and now the Government accuses them of having fallen. As to the Island of Lewis, we are told that it contains more people than the area inhabited can properly maintain, and that is one of the few statements of the Commission that I can thoroughly endorse. If the Commission had suggested that the deer forests should be given back to the people, that would have been a sensible suggestion; but they have only suggested that the extra population should be got rid of by emigration. Complaint has been made that the West Coast people are getting all the money; but, as far as my knowledge of the fishing grants is concerned, it is the East Coast people who have got all the money, and the West Coast people who really have the right to complain. I think that if proper inquiry had been made these foolish grants which the Government have adopted from the Commission would never have been proposed. There is a grant of £3,000 which we are asked to vote for my part of the country; and when we come to a proper analysis of the Vote, I shall move its reduction by that £3,000, because I consider it money thrown away. This is the only case in which the Government give £3,000 right away without any portion being subscribed from local sources.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): It was the recommendation of the Commission.

DR. CLARK: I know it was; but they made no real inquiry into the matter, having only had one day in the neighbourhood of Thurso, and the result is that they have made a Report than which a more foolish one was never presented. In Thurso Bay and the Thurso River which runs into it, the Thurso people are endeavouring to establish such a harbour as may properly develop the resources of the district. The inhabitants have subscribed £4,000, and have borrowed £15,000 for this purpose, and yet the Government actually suggest that we should vote £3,000 for the renovation of the old pier at Scrabster, where there are no such facilities for harbour purposes as at Thurso. Then the Government propose to spend £16,500 for the harbour at Ness, on which already many thousands of pounds have been wasted, and there are other proposals with regard to which, on the Report stage of these Estimates, the

Government have promised to consider an Amendment which I brought up as to conferring on the County Councils power to deal with these matters. The Government accept the principle of that Amendment, though they say it is not sufficiently explicit on certain points, and that they would prefer special legislation. In fact, more than two months ago they said the Lord Advocate was considering the point with a view to legislation; but although the Bill has not yet been prepared, the Government are asking us to vote this money. I hope, however, to hear something more from the Government about the proposed legislation, and I trust that the hon. Baronet (Sir H. Maxwell) will be able to afford the necessary information. If you are going to throw money away on this road I shall vote against it. I think the Government will be well advised if they act on the suggestions of my right hon. Friend the Member for West Birmingham as to the development of the resources of the Western Islands. But whatever they may do, I say that I look upon all these panaceas of the Government to solve the difficulties in the Western and Northern Highlands as utterly worthless. There can be but one satisfactory remedy, and that is to replace the people on the land from which their fathers were driven away. The Government are trying to prevent the solution of the land question in the only satisfactory manner, and whatever they may do in the way of migration or the development of local resources they will require to spend much more money than is at present contemplated. The right hon. Gentleman the Member for West Birmingham and his friends have led the people to believe that something is to be done for them, and the outcome of all is a lame and halting proposal by the Government to vote a miserable sum of £50,000.

(10.36.) MR. J. CHAMBERLAIN (Birmingham, W.): Having for a number of years taken an interest in the Highlands, I may be permitted, though not a Scotchman, to say a few words on the subject. It is always rather doubtful wisdom to ascribe to people of whose mental processes one knows little motives of which we know still less, and I can assure the hon. Gentleman who has just sat down that such a policy as I may have devised for the Highlands is not dictated by any desire to obtain support for this Government, because it was largely conceived in the time of the previous Government. I can assure the hon. Gentleman that I have an unselfish interest in these people, and am not actuated solely by political motives. The hon. Member said that the hon. Member for St. Rollox went as my emissary, or ambassador, to the Highlands. That is paying him a very poor compliment. The hon. Member for St. Rollox did not go to the Highlands as an ambassador or emissary of mine, but entirely from his own good will and interest in the subject. I fail entirely to understand the object of the speech just delivered, unless it is to convince the Government that it is quite unnecessary for them in the future to appoint Commissioners to inquire into the technical difficulties, to settle the financial problems involved, when they have all the information in the person of the hon. Member for Caithness. What is the state of things in the Highlands? We are dealing, not with an ordinary, but with an exceptional population, and that is my answer to the hon. Member for East Aberdeenshire, who objects to the proposal to meet the exceptional distress in the Western Highlands because he says his constituents, with whom there is no exceptional distress, would be discontented, and would even rise in practical rebellion against the Government if consideration were shown to their less fortunate neighbours in the West. I do not think he could have seen the inference which would be drawn from his own statements, and I am perfectly certain that Scotchmen generally sufficiently appreciate the peculiar condition of the West Coast, and the crofter districts especially, to be quite willing that special consideration should be given to their case without making that special consideration the foundation for a demand which should extend to the whole of Scotland and the United Kingdom. The first attempt to deal with that peculiar condition was made in the time of the Government of the right hon. Member for Mid Lothian by my

right hon. Friend the Member for Bridgeton (Sir G. Trevelyan). The Bill of my right hon. Friend was a generous Bill, which went as far as the majority of the House of Commons was prepared to go at that time, but everybody will admit that it was a comparative failure. Practically the only thing the measure has done has been to reduce the rents of the crofters, and reduce them to an extraordinary extent—30, 40, and even 50 per cent. But then we are face to face with the eternal difficulty of small holdings. When we have to deal with holdings so small that a man cannot get a living out of them, the question of rent is a secondary question. If a man's rent is £2 a year, and it is reduced 50 per cent., the percentage indeed is enormous; but how is a man going to live out of 20s. a year who starves without it? What the Government for the first time is attempting to do is to carry out the policy which it has also attempted for the congested districts of Ireland, and to endeavour to secure the material improvement of the country by improving communications and by stimulating and increasing the facilities for different industries, so that the people shall not be wholly dependent upon the land, and that those who are dependent on the land may obtain better results. This is an experiment, no doubt, and the hon. Member for Caithness has spoken of the amount granted as only a miserable, paltry sum of £50,000 for the purpose. Admitting it is an experiment, can any one be so foolish, so mad, so unjust as to expect that the Government will take a larger sum from the taxation of the country until, at all events, they have had sufficient experience to say that the expenditure will be justifiable? If, as the hon. Member, out of the plenitude of his wisdom and knowledge, has said, this experiment is destined to be an utter and a complete failure, why, let us be thankful that only £50,000 will have been spent, and that the remainder of the large sum he would devote to the purpose will be available for some great scheme of his own in that future Government to which he is looking forward to carry it out. But the sum is not a miserable sum. It is sufficient for an experiment, and it is only because the proposal is an experiment that we are entitled to ask the Committee to assent to it at the present time. It is, however, an important experiment, and one which may have remarkable results. I do not believe that money was ever wasted in the making of roads. I believe the best expenditure ever made in the Highlands was that made upon roads. It is said that you must have tramways and railways as well as roads. Well, Rome was not built in a day. I admit that the scheme of the Government is not sufficiently extensive; but if the experience of the next few years justifies the experiment the Government has begun, I do not doubt for a moment that the House of Commons will be willing to vote further sums to pursue that policy. I wish to point out that we are in this matter striving in a new direction to deal with what has hitherto been an insoluble problem. We are bound, in my opinion, to go on trying experiments until we have solved the problem of this very exceptional poverty and distress. We ought not to treat those poor people as pariahs, or as hopelessly condemned by fate and circumstances to a continuance of the hard existence they have had to bear for many years past. I take a more sanguine view of this question than the hon. Member for Caithness, for I believe the experiment will be successful. It is possible that here and there mistakes may be made and some money wasted, but no Government is or can be infallible, or can be certain that in dealing with these local matters no mistake can be made. I believe, however, as I have already said, that in the long run this policy will be successful, and I desire to see a great extension of it. But I do not stop there. I would advise the crofters and those who represent them to be satisfied with finding that attention is being paid to their condition, and that an earnest, sincere, and intelligent endeavour is being made to remedy it. We should not press forward everything at the same time. I am prepared to admit that I do not think the present condition of the land question is altogether satisfactory, any more than it is in Ireland, even after three successive agrarian measures. In Ireland we are coming to the conclusion that the whole system of dual tenure is

a mistake, and that the only way to a final settlement is to make the tenants owners of their land. I have a strong opinion that something of the kind will be found to be the case in the crofter districts of Scotland, and that something will have to be done to give, at all events, a certain number of the crofters a proprietary interest in the soil which they cultivate. Nor do I believe that it will be difficult. Of course, the chief difficulty is in the poverty of the people; but I believe there are some districts where the policy might be carried out—in the islands of Orkney and Shetland, for instance. I believe numbers of tenants and numbers of landlords will be found in those islands who will at once come to terms if anything like the offers that are being made to the tenants of Ireland under the Land Purchase Bill are made to them. If the policy is good for Ireland, why should it not be good for Scotland? I can see no difference in the two cases. I can understand that there may be some difficulty when we come to deal with large farmers, but we are dealing now with a class of tenants in Scotland who are of exactly the same class as the small tenants in Ireland. If I do not press the Government now to undertake this legislation, it is because I know, as a practical man, that their hands are full. I am grateful to the Government, if I may speak for the crofters, for having done so much, and I am not going to groan at them because they have not done all. They have done more in the matter than any previous Government, and I hope they, or some other Government, will do more in the future. After all, this is only the commencement of a great policy for the material improvement of these districts, and I hope that the experiment will meet with the success which it certainly deserves.

(10.53.) SIR G. CAMPBELL (Kirkcaldy, &c.): It seems to me that we want more complete information from the Government as to their extraordinary management of the Business of this House, and as to the occasions upon which they take Supply. Nobody expected, for instance, that it would have been taken to-night. I am well aware that the Government can, if they think fit, vote away the money of the taxpayers of this country. I am not one of those who object to taking this £50,000 because it is a small sum. I would rather have that than nothing at all. We certainly are entitled to this miserable £50,000, but it is a very small sum compared with the untold millions which you are spending upon Ireland. We know that Ireland gets so much because the Irish Members make their voices heard so often. At the same time, I think, with the hon. Member for Caithness, that after all the Commission's inquiries and promises we have had, this is a paltry sum. Why should not a substantial sum of money be applied to a system of migration in Scotland as well as in Ireland? I differ from the right hon. Gentleman the Member for West Birmingham in the desire to turn large numbers of small farmers in the Highlands and Islands into owners. One of the most crying evils that requires to be dealt with is that of tenure. I think it would be well to permit the construction of light railways in the Highlands. In Scotland there are only three points at which the railways touch the sea, and for the development of the fishing industry an extension of railway communication is urgently needed. If new railways are constructed, it would be a huge mistake to render them dependent upon the Highland Railway Company, for that railway is the worst of monopolists. I can only, in conclusion, express a very strong hope that whatever is done in this House, there will be no attempt to place the West coast in competition with the East coast.

(11.0.) MR. DUFF (Banffshire): My right hon. Friend has dealt with the Report and recommendations of the Commissioners. I believe the total expenditure recommended in that Report to be incurred is £280,000, and, so far as I am concerned, I shall be very glad if any Government could have seen their way to carry out the recommendations of the Commission. To-night, however, I propose to confine my remarks to this Vote of £50,000. It is proposed to spend £43,000 on piers and harbours. I think that my right hon. Friend opposite admitted that this expenditure was one

very strongly recommended by the Commission. I wish to point out the desirability of constituting Local Authorities in Scotland, to whom may be entrusted the construction and maintenance of harbours. If you are going to carry out the recommendations of the Commission, and to provide money for the harbours, it is absolutely necessary that something should be done to constitute Harbour Authorities. My right hon. Friend the Member for West Birmingham I think was scarcely fair in what he said about my hon. Friend the Member for Aberdeen. I did not understand the latter to complain of money being given to the West coast of Scotland. We do not complain of that at all. It is not fair to say that there is any jealousy between the people living on the West coast and these on the East coast; but what we do say is that if you are going to apply certain principles to the West coast, you must treat the East coast with equal fairness, and apply to the fisheries there exactly the same principles. The fact of the matter is that the money which is now to be given for harbours in Scotland is partially drawn from the fishermen on the East coast, and they think that if it is to be spent on the West coast it is rather too much to ask them to contribute funds for a purpose from which they themselves can derive no benefit. Yet that is exactly what you are now doing. There has been much distress on the East coast. The value of herrings has depreciated greatly during the last three or four years, indeed it is not incorrect to say that it is now only one-third what it was at one time. In consequence of the depressed condition of affairs many of the people in my own constituency have gone out to New Zealand, Nova Scotia, and to other parts of the world to try and find work there. We think that when so much is being done on the West coast some assistance might be given on the East coast. The Chancellor of the Exchequer may remember that a request was made to him last year, which I believe he at the time entertained somewhat favourably, that a certain sum of money should be given to the harbours on the East coast.

(11.11.) DR. CLARK: As the Secretary to the Treasury cheered the statement of the right hon. Gentlemen the Member for West Birmingham that he did not understand the meaning of my speech, perhaps I may make the meaning clear. [*Cries of* "Oh!"] I am sorry some hon. Gentlemen opposite are ill. The meaning of my speech is this, that when you want information you ought to send out a Commission composed of individuals who know something about the matter to be investigated. This Commission was sent out to give you information and to make suggestions regarding roads, tramways, and railways. In this Report what have we got? The recommendation to spend £15,000 on one road, a road which is the best road in the Island, while there are large districts without roads at all. Can anything be more absurd than that? There is not a single scheme put before us for any tramway or railway. If you wanted to get information you ought to have sent men who would have given a little attention to the matter; you might have sent the right hon. Gentleman the Member for West Birmingham, or more especially the hon. Member for St. Rollox. The Report, in many ways, is absolutely valueless.

COLONEL MALCOLM (Argyllshire): Is the hon. Member aware that one of the members of the Commission, Sheriff M'Kechnie, is the son of a crofter?

DR. CLARK: I believe he is an Iona man, a constituent of the hon. and gallant Gentleman. He may have been the one man on the Committee who understood the subject. We are told the population is exceptional. Why are they exceptional? Simply because they have been driven off the land and compelled to live under conditions which make comfort impossible. We are acting now just as we acted when the last Government was in office. When the Crofters' Bill was in Committee, we moved to report Progress in order that the time of the House should not be wasted on the Bill, and we moved the rejection of the Bill on the Third Reading, because we considered the Bill would be absolutely useless to cure the great evil the people complained of. We told the House six and seven years ago as we tell you now that if you adopt the recommendation of the right hon.

Gentleman the Member for West Birmingham and make all these men peasant proprietors, giving them the land for nothing, and relieving them from the payment of taxes, you will not solve the problem. Until you enable the men to acquire their holdings and give them additional land; until you engage in schemes of migration and emigration where necessary, you will not cure the great evil, the want of land. It is asked whether this scheme is to settle the question. Of course it is not. One good purpose has been served to-night. We have had a speech from the right hon. Gentleman the Member for West Birmingham, the father of this policy. The supporters of the right hon. Gentleman have visited the districts concerned, and have declared that "we and the Unionist Government are your true friends; we are going to give you harbours, tramways, and railways," but the speech of the right hon. Gentleman has pricked the bubble, and Unionist candidates will disappear from the places where they are now trying to obtain support under false pretences.

DR. MACDONALD: I hope that the Government will not press the Vote to-night. The right hon. Gentleman the Member for West Birmingham told the House that by expending this £50,000 the Government will do more for the Highlands than any Government has done before. That comes from a man who was a Member of the Cabinet when the Crofters' Bill was passed. Why, he must know that in the shape of capitalised value of the reduction of rents the Crofters' Act put £1,000,000 of money into the pockets of the crofters.

(11.24.) DR. FARQUHARSON (Aberdeenshire, W.): I think the hon. Member for Kirkcaldy (Sir G. Campbell) has done good service by expressing dissatisfaction that in consequence of extraordinary and mysterious negotiations we have been landed suddenly into Scotch Supply. It is a mere fluke that Members from the Highlands of Scotland happen to be present on this occasion to take part in a Debate which so intimately concerns their constituents. The Irish Votes are always so arranged as to suit the convenience of Irish Members. I do not in the least complain of this, but it contrasts very strangely with the practice regarding Scotch Votes. I think the hon. Member for East Aberdeenshire has done well in bringing forward the grievances of his constituents. There certainly is some distress in Aberdeenshire, and a large number of what may be termed crofters are deprived of the benefits of the Crofters' Act on the ground that they are not in the crofter district. I should like to see the area of the Act extended, if not to the whole of Scotland, at least to some other districts. Certainly the people in other parts of Scotland are looking wistfully, and hoping to share in the good things that are going. I hope my hon. Friend who has brought this question so often before the House will do so on some future occasion with success, and that my part of Scotland will derive some portion of those benefits which do not seem to have been received with so much favour in those districts to which they have been directed.

*(11.27.) MR. ANGUS SUTHERLAND: I did not enter into the question of general policy when I last addressed the Committee, but now I should like to say a few words in regard to the bearing on that policy of the speech of the right hon. Gentleman the Member for West Birmingham. The right hon. Gentleman set out by stating that there were exceptional people and exceptional circumstances in the Highlands. Do the exceptional circumstances date from 1886 or 1884? No, Sir, they originated in the beginning of the century when the people were cleared off the land and sent to the districts that are now called congested. It is idle for any Member of the House to suppose he can successfully tackle the difficulty in the Highlands unless he begins by reversing the policy of 1819 and 1820. There has been no more distress in the Highlands for the last three or four years than there has been at any time for the last 80 years. The right hon. Gentleman says that the boon conferred by this gift of £50,000 will be greater than that consequent on the passing of the Crofters' Act. I wish the right hon. Gentleman would go to any public meeting in the Highlands and make that statement. I am not con-

cerned to defend the action of the Liberal Government, but to say that this gift of £50,000 is a boon equal to the passing of an Act which, besides giving them reductions of rent, gave them security of tenure, and enabled them for the first time to exercise the political privileges which belong to them as subjects of the Queen, is absurd. Over and over again we were promised amendment of the Act, and if a Liberal Government were in power the Act would be extended. I do not undervalue the sympathy of the right hon. Gentleman the Member for West Birmingham, and it is the more valuable that he has been to the districts himself; but unless he recognises the position taken up by the Highland people, his recommendations are of no use, and have no chance of success. The second part of the right hon. Gentleman's speech contradicted the first part. In the first place, he said, and said truly, that the holdings of the people were not sufficient to pay rent, and yet the right hon. Gentleman went on to propose that the tenant occupiers should be made proprietors. But would not that stereotype and perpetuate the very condition of things we want to sweep away? We want are distribution of the people on the land.

(11.32.) MR. CALDWELL: I am not concerned to say what the Liberal Government intended to do, but the proposals upon which the Government now proceed are essentially different. The land question was dealt with by the Crofters' Act, and so far as it went it was a boon to the people of the Highlands. The present Government are trying to benefit the people by new methods, founded on those the Chief Secretary is applying to Ireland for the development of the material resources of the country, the improvement of harbour accommodation, and the acceleration of the means of communication. But what we have to complain of is that, while the intentions of the Government are perfectly good, and while they gave their proposals mentioned in the Queen's Speech, yet, though we have this Vote now, there has been no declaration of the principle upon which the Government propose to proceed, or the scheme by which they propose to give effect to their intentions. We have a series of disjointed Votes here and there, but we are unable to see how these will act upon the general scheme of the Government. We are entitled, I think, to some information. The Representative of the Government present on this occasion has done the best he could, but he has told us that the Representatives of the Scotch Office, who may be supposed to know all these details, are absent in Scotland.

*SIR H. MAXWELL: I said my right hon. Friend the Lord Advocate is ill, and that the Solicitor General for Scotland is required to attend the General Assembly in Edinburgh.

MR. CALDWELL: I am sure we all sympathise with the Lord Advocate, but I am bound to say I do not see why the business of this House should be superseded by the affairs of the General Assembly in Edinburgh. But we know perfectly well that this has been a Cabinet matter, and the First Lord of the Treasury or the Chancellor of the Exchequer must have full cognizance of these matters. I do not suppose that the Solicitor General for Scotland has so much knowledge of the details as the hon. Baronet. The whole of this plan, we have been told, was conceived by Lord Lothian, the First Lord of the Treasury, and the Chancellor of the Exchequer. The Chancellor of the Exchequer, who of all Members of the Government is most likely to know the policy to be pursued, has listened to hardly a single speech during the discussion, and has given the Committee no information in this respect. That we have not been given such information leads me to doubt if the whole plan has been thought out. We have, as I have said, but a few disjointed proposals. You take a Vote of money to be spent under the direction and with the consent of County Councils in Scotland; but you know you cannot spend a penny of that money during the year, and you must have the authority of an Act of Parliament before it can be spent. Of the £43,000 you ask for harbours, only £16,500 can be properly advanced to the Ness Harbour Trustees; but as regards the remainder, the County Councils have not yet the power to undertake the re-

sponsibility proposed to be placed upon them. It is absurd that you should, under the pretence of doing so much for the Highlands, take a Vote for money which you know you cannot spend this year, or until you get statutory authority. There is nothing to be gained by passing the Vote, for no money can be spent on the fisheries during the present year. But that I wish to avoid the appearance of opposing the Government in regard to this particular Vote, and that I wish to facilitate in every possible way the policy enunciated of developing the resources of the Highlands, I would move to report Progress and defer this Vote until the Government have given us their plan.

(11.40.) DR. CLARK: I beg to move a reduction on account of Subsection 2 of No. 3, the piers and harbours portion. I move the reduction of the Vote by £3,000, the proposed expenditure upon Scrabster Harbour. In what I may call the warrant for the appointment of the Commission, the Commission were told to indicate the districts where distress existed to an abnormal degree, and to find methods of remedying the evils, developing the resources of the district or otherwise. This will do nothing towards developing the natural resources, it will not help the fishermen or crofters, and as I object to money being voted under false pretences, I move the reduction.

Motion made, and Question proposed,

"That a sum, not exceeding £47,000 (being a reduction of £3,000 in respect of the Scrabster Harbour), be granted for the said Service."—(*Dr. Clark.*)

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): We have taken the earliest opportunity of putting our proposals before hon. Members; but I do not think we have been met in a fair spirit by hon. Members opposite. We have gone considerably out of our way to assist the crofter districts; we have made proposals which are novel proposals. We have made proposals for increasing and improving the means of communication; but I cannot say that hon. Members from Scotland have met us in the spirit we might have expected. I do not know whether the present Motion is made in earnest; but, assuming that it is, we have no desire to resist it, and accept the reduction.

(11.43.) MR. CAMPBELL-BANNERMAN (Stirling, &c.): I do not know on what possible ground the right hon. Gentleman bases the complaint he has made against hon. Members from Scotland. Are we to accept on bended knees and without criticism all the proposals which the Government make?

*MR. GOSCHEN: I do not know whether the right hon. Gentleman has heard the speeches which have been made this evening. Their general tenour has been one of great complaint; the composition of the Commission, the time they devoted to their work, and the whole attitude of the Government has been severely criticised throughout the Debate.

MR. CAMPBELL BANNERMAN: And we have a perfect right to criticise severely if we think proper. I have not been present during the whole discussion, nor, I think, has the Chancellor of the Exchequer. But I have heard enough to be aware that the Scotch Members have been reasonably discussing these important proposals in a spirit which always has characterised, and I trust always will charactise, Scotch Members. We are not accustomed to receive money, even from the right hon. Gentleman, without looking at it before we receive it; we are anxious that money should not be misspent in our country. The Scotch people are a frugal people, and like to see a thing done in an economical way. I know nothing about Scrabster Harbour, but the hon. Member who represents the county says that the money will be misspent. [*Cries of* "Agreed!"] But we are qute willing that the money should be spent in other places, and in a proper way, to carry out the recommendations of the Commissioners. The right hon. Gentleman is endeavouring to drive two horses in different directions. He cannot seek to have the political advantage in Scotland of having spent this money there, and at the same time thrust upon the people of a locality expenditure they do not wish to have. This, I understand, is the ground upon which my hon. Friend makes this Motion on a detail as to which I have no information, and am not,

therefore, entited to detain the Committee. As to the general discussion, I altogether repudiate the blame which has been thrown upon Scotch Members by the Chancellor of the Exchequer, and I regret extremely that the right hon. Gentleman should have thought himself justified in doing so at the close of a Debate of this kind.

*(11.47.) MR. GOSCHEN: I have not blamed the Scotch Members, but I do regret the spirit in which they have met the Government when it was conferring boons upon the country, and had a right to expect that our proposal would be met in a very different spirit.

*MR. ANGUS SUTHERLAND: Can the right hon. Gentleman say when he will be in a position to give us the information we have asked for?

*MR. GOSCHEN: I thought the information had been given, but the Government are anxious to go forward with the works, and we cannot commence without the sanction of Parliament. I therefore beg the House of Commons to pass this Vote. Every care will be taken in the expenditure of the money, and I earnestly hope that, with the exception of this sum of £3,000, the remaining sum will be voted, so that we may begin those works which are urgent.

DR. CLARK: There are objections to Sub-sections 5 and 6.

DR. MACDONALD: Earlier in the evening I put a question with reference to the expenditure of £15,000 on the road between Stornoway and Carloway, and I would ask again if it is the intention of the Government to insist upon this? I understood the hon. Baronet to say the Government had not quite made up their minds, but perhaps the right hon. Gentleman can give me a more definite answer, and say whether there is any intention to construct a tramway line along the road.

*(11.50.) MR. LYELL: Will the right right hon. Gentleman cause inquiry to be made in reference to the piers and harbours at Thurso and St. John's Bay? Now that £3,000 is set free by the Scrabster scheme I hope he will reconsider other proposals by the Commissioners?

*MR. ESSLEMONT: I quite agree with the withdrawal of this amount of £3,000. The right hon. Gentleman was not present when claims on behalf of other harbours were urged, but I hope that now these claims will have re-consideration.

*MR. GOSCHEN: This incident in reference to the Motion of the hon. Member for Caithness will not modify in the slightest degree the desire of the Government to do what they can for the benefit of the Western Highlands and Islands, and we may consider the £3,000 set free possibly for future use. The road at Carloway will be improved if the Local Authority practically approve of the plan. If the Local Authority are opposed, we, shall not proceed with it; but careful calculations have been made with regard to it. It has been considered the road might be made more convenient for the conveyance of fish. Further inquiry will be made with regard to Thurso and other places. As we have consented to the withdrawal of the £3,000, I now ask that the remainder of the Vote be agreed to.

DR. CLARK: I am quite satisfied that the County Council will represent how foolish the expenditure on the road will be. I take this opportunity of asking the right hon. Gentleman whether it is really necessary to have a new administration at a cost of £2,500?

*MR. GOSCHEN: We thought that an economical and speedy way of carrying out works would be by the appointment of an officer who should be the eye and representative of the Secretary of State in the localities; and so that time should not be lost by constant reference to head quarters, such an officer has been appointed.

DR. CLARK: Colonel Malcolm?

*MR. GOSCHEN: Yes; Colonel Malcolm. Other assistance will also be required.

DR. CLARK: I will not carry out my intention of moving reductions on Nos. 5 and 6, but will confine my Motion to the £3,000.

(11.55.) DR. TANNER (Cork Co., Mid): I am not going to stand long between the Committee and a decision. I only wish to warn our Scotch friends that merely a protest and a promise in reply should not satisfy them. Probably they will find themselves, 12 months

hence, compelled to do the same thing again. I hope, indeed, the appeal will then be made with better result to different occupants of the Treasury Bench, for I warn the Members from Scotland that they must not rely on a Chancellor of the Exchequer who would desert either side for place.

Question put, and agreed to.

Resolution to be reported to-morrow, at Two of the clock.

Committee to sit again to-morrow, at Two of the clock.

CUSTOMS AND INLAND REVENUE BILL.—(No. 297.)

SECOND READING. ADJOURNED DEBATE.

Order read for resuming Adjourned Debate on Question [26th May], "That the Bill be now read a second time."

Question again proposed.

Debate resumed.

*(12.2.) MR. ROBY (Lancashire, S.E., Eccles): I desire to refer to the attempts made lately in different places to alter the usual interpretation of the words "charitable purposes," and to make grammar schools and other schools pay Income Tax. I represent particularly on this occasion the Grammar School of Manchester. For many years past we, like all other charitable foundations, have been in the habit of recovering the Income Tax every three years; but a year or two ago we were informed by the Commissioners that they must decline to return it to us, on the ground that there had been a recent decision in the case of the Moravians' establishment, which showed that the words "charitable purposes" were not to be interpreted in the way they had hitherto been interpreted. As to the legal aspect of the case I have nothing to say; a case was brought before the House of Lords in March, 1890, and the decision has not yet been given. The chances are that even when that decision has been given it will not cover our case. What I object to is this attempt to put pressure upon the Trustees of charitable foundations to hand over a sum of money to the Commissioners of Income Tax, which it was not in contemplation when the Income Tax was originally levied should be so handed over, and which is contrary, I believe, to the whole practice and purpose of the Income Tax Commissioners from 1842 until the last year. I think something may be said in favour of requiring charities to pay Income Tax; but, in my opinion, it is most unconstitutional to attack in this way these small bodies of Trustees and induce them to pay, out of their limited funds, Income Tax. All our funds are expended in charity. We have no money with which to carry on a lawsuit, still less for carrying on a lawsuit against the Government. Whether we won or lost the charity must be crippled for a very considerable time. The point I wish to urge most strongly is that if places like the Grammar School at Manchester are liable to Income Tax the matter should be set at rest by an Act. Now we have practically no choice but to submit to the demands made upon us. I protest against this mode of forcing a payment of Income Tax which I believe to be illegal, and am sure is unconstitutional.

*(12.9.) MR. MORTON (Peterborough): I think we have a right to complain that the Bill has been taken at this hour, especially after the promise of the Chancellor of the Exchequer that it should be taken about half-past 10 o'clock Three hours have been utterly wasted this evening over the Newfoundland Bill, and now, after midnight, we are expected to discuss the question of the whole taxation of the country. We had no opportunity on Tuesday last, because the whole of that day was occupied by Members on the Front Benches in a sort of duel in which, by the way, the Chancellor of the Exchequer seemed to get the worst of it. The right hon. Gentleman appears anxious to punish us for what happened on Tuesday by preventing us now from discussing the matter. I had wanted to speak on several topics, but I will reserve my observations to the Committee stage.

*MR. SPEAKER (interrupting): The hon. Member has exhausted his right to speak. I see he has already spoken on the Main Question.

*MR. MORTON: I only moved the Adjournment.

*MR. SPEAKER: That is speaking on the Main Question.

*(12.12.) MR. TOMLINSON (Preston): In reference to the remarks of the hon. Member for Eccles (Mr. Roby), I would

ask the Chancellor of the Exchequer to take into favourable consideration the position of charitable institutions in reference to the payment of Income Tax. The matter has been very much considered by the great charities, and in their interest received much attention from the late Lord Addington. These charities are in this difficult position: that they have in general no funds applicable to conducting legal proceedings, and it is also felt that whatever may be the ultimate decision in the Moravian case, it may not govern that of other Institutions, and they may still be liable to the risk of expensive litigation in order to preserve their rights.

MR. SEXTON (Belfast, W.): I desire to ask a question as to the payment of Income Tax by tenants who purchase their holdings under the Ashbourne Acts. It seems to me that they ought to pay on the occupation value of the holding only. Under the Ashbourne Acts the landlord's interest become extinct, and the tenant becomes liable for 49 years.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): In regard to the last question, I should not like to give an answer off-hand. I will consider the point, and give the hon. Member a reply on a future occasion if he will communicate with me or put a question on the Paper. At present I have not been able to go into the question as deeply as I could wish. With reference to the question of the payment of Income Tax by the Trustees of charitable institutions, hon. Members will acknowledge that the best course will be to await, before adopting a final decision, the judgment of the House of Lords in the pending case of the Moravian schools. Even if that should not cover the whole of the legal ground, I should be guided, to a great extent, by the spirit of that decision in my future action. I should not wish to strain the law. It is contended that the principle adopted in dealing with this matter at present is unconstitutional, but the Inland Revenue Authorities consider that having once placed an interpretation on the law they are bound by it. I do not, however, wish to press their view of the matter unduly.

(12.15.) MR. CONYBEARE (Cornwall, Camborne): We ought not to allow the Government to take the Second Reading of the Bill without a word of protest against their general tactics with regard to this important subject. I presume that the Second Reading of the Budget Bill of the country should be something more than a mere farce, but the arrangements of the Government reduce it to that. They expected the Bill to be taken at the end of the afternoon Sitting on Tuesday, after having laughed over the jokes of the noble Lord the Member for Ipswich in reference to the adjournment for the Derby. Because the Debate did not terminate as they had expected they attempted to closure it—not having thought of the Closure in connection with the Motion of the noble Lord. The Chancellor of the Exchequer himself had the boldness to attempt to closure the Debate when it had not proceeded more than three hours. Failing in that, he can find no better opportunity for the Bill than to bring it on now after midnight, when hon. Members are fatigued by a long discussion on a very important matter, and are anxious to go home for the night. We are here to see that the true principles of finance—on which the right hon. Gentleman prides himself so much, but which he takes care to violate in almost every Budget he brings forward—are respected. When we wish, by way of protest, to emphasise the fact that the right hon. Gentleman cares nothing whatever for the principles of which he used to be so fond, we have a sort of title to be heard. [*Cries of* "Divide!"] I say we have a right to protest against the soundest principles of finance being constantly violated, and against being compelled to discuss such a Bill as this either at the fag-end of an afternoon Sitting or at an early hour in the morning. We have a right to object to this slip-shod and utterly reckless way of conducting the ordinary business of the country. [*Cries of* "Divide!"] The principal issue which, I take it, is raised in this Debate is that by forcing the Budget Bill through the Second Reading, the Chancellor of the Exchequer and the Government desire to get the House of Commons committed to the principle that a large sum of

money—which he pretends is a surplus, but which is nothing of the kind—shall be devoted to what some hon. Members opposite call "free education," and others call "assisted education." [*Cries of "Divide!" and interruption.*] It is perfectly notorious—and no one knows it better than the right hon. Gentleman—that there is great division in the country as to the method in which this so-called surplus is to be devoted to that special object, and I maintain that it is not enough for the Government to come down and say, "We will give you this sum for the freeing of schools." [*Renewed cries of* "Divide!"] They should give us some explanation of the method by which they wish to carry out the scheme. [*Interruption.*] We want to know whether the voluntary schools are to be subject to popular control, and whether or not the grant is to go to all the standards of our elementary schools. [*Cries of* "Divide!"] In spite of the interruptions of hon. Members I shall claim my right to discuss the Budget proposals. I, for one, refuse to be compelled by this species of coercion to vote this sum which the Government say is to be devoted to a purpose which, though we may approve of it, we have every reason to believe will be worked out in an objectionable manner.

Question put, and agreed to.

Bill read a second time, and committed for to-morrow, at Two of the clock.

SUPPLY [25th MAY] REPORT.

Order read for resuming Adjourned Debate on Question [26th May]—

"That this House doth agree with the Committee in the Resolution 'That a further sum, not exceeding £4,208,100, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March, 1892.'"

Question again proposed.

Debate resumed.

(12.27.) MR. SEXTON (Belfast, W.): I trust the Postmaster General will find it convenient to make a statement as to the improvement of the cross-Channel Service to Ireland. An unreasonable time has elapsed in carrying out this improvement. A deputation from the companies waited upon the right hon. Gentleman, and it took him three months to make up his mind in the matter. The right hon. Gentleman communicated with the Treasury, and a further delay occurred whilst they were considering it; other delays followed, and in this way 12 months have elapsed without anything being done by the right hon. Gentleman to carry out his promise to effect an improvement. A year has been consumed in considering a matter which might well have been disposed of in a month or two. It is not fair that the City of Belfast and other important communities in Ireland should be left so long without a satisfactory postal service—such a service as would be given as a matter of course to any town in England. Such is the mail service from Belfast to England that the mails are delayed several hours, and the morning mail is not delivered until after the outward mail has been despatched. That is an absurd condition of things in connection with a town like Belfast—one of the most important cities in the United Kingdom. I hope it will not be necessary to return to this subject. I shall do so, however, if the right hon. Gentleman does not deal with it, and I shall be supported by the bulk of the Irish Representatives. I should be glad if the right hon. Gentleman would give us some particulars as to the negotiations that have taken place—for instance, what the companies have asked and what the Treasury has offered. In order to put the Motion in proper form before the House I will move to reduce the Vote by £5,000.

Amendment proposed to the said Resolution, in line 2, to leave out "£4,208,100," and insert "£4,203,100."—(*Mr. Sexton.*)

(12.29.) MR. MACARTNEY (Antrim, S.): This question is one of importance, not only to Belfast but to the whole of Ireland. If the right hon. Gentleman the Postmaster General is going to make a statement to-night I should like to make a few observations on the subject. I hope the right hon. Gentleman will understand that opinion is not so entirely unanimous in favour of the Larne and Stranraer route as the hon. Member for West Belfast seems to think; and, though I am quite prepared to approve of any proposal the Treasury may make as to

an addition to the existing mail service to Belfast through Dublin, I say that if an additional grant is made it ought not to be at the expense of the Dublin and Holyhead route, and, moreover, if a grant is to be made to the Larne and Stranraer route while refusing any improvement in the Dublin and Holyhead route I shall strongly oppose it. The Larne and Stranraer route would give postal facilities only to one or two towns in Antrim; but it would not give a sorted service, and for a considerable distance it has only one line of rails. The Great Northern line is superior in all these respects, and is the natural route to the North of Ireland. The hon. Member for West Belfast was not quite correct in one of his statements. On no single occasion on which delay has occurred has the Larne and Stranraer train arrived in Belfast before the train which arrived by the Dublin route. With regard to Belfast, it appears to me that the Belfast requirements would be amply met by the offer of the improved service over the Great Northern route, and that, with regard to the whole of the rest of the North of Ireland, there is no doubt whatever that the advantages which would be secured to the other large manufacturing towns of the North of Ireland are incomparably superior by the present route than by any proposal that could be offered over the Larne and Stranraer route.

*(12.36.) MR. KNOX (Cavan, W.): The hon. Gentleman who has just spoken has told us that opinion is divided in the North of Ireland on the question of the proposed alternative route. Of course that cannot be denied, but we know that as far as the public opinion of Belfast has yet been expressed—and I take it from the ordinary channels of public opinion, such as the *Belfast News Letter*, the *Northern Whig*, the *Morning News*, and the *Telegraph*—public opinion is strongly in favour of the establishment of the proposed Larne and Stranraer route. We should like to see alternative routes; if possible we should be glad to see both supported by sufficient subsidies. I think I ought to question a statement made by the hon. Member opposite (Mr. Macartney) as to a matter of fact. I do not think it a fact that the whole of the way to Derry the Great Northern Railway is a double line.

MR. MACARTNEY: I did not say the whole way to Derry.

*MR. KNOX: If I am mistaken I am sorry I misunderstood the hon. Gentleman. On the other point, however, I may say that the general opinion in Belfast is that when we take into consideration the dangers of accident or delay in the best conducted sea route it is desirable that there should be an alternative service to prevent the loss which otherwise might occur to the commercial community when their letters are delayed. But beyond this, I may say that there are many who regard a third alternative which has been suggested, namely, the Greenore route, with much favour. It is undoubtedly the most direct route, and should be carefully considered.

*(12.41.) SIR E. HARLAND (Belfast, N.): I am sorry I cannot agree with my hon. Friend (Mr. Macartney). I believe that the unanimous opinion in Belfast and the other important towns in the North of Ireland is that an alternative route would be most valuable, not only as a second route for letters, but as a new link added to the improved communication between Great Britain and Ireland. The distance between Larne and Stranraer across the Channel is only one-half the distance between Holyhead and Dublin.

MR. SEXTON: Less than one-half.

*SIR E. HARLAND: Of course, if the mail route between Dublin and Holyhead were not highly subsidised, it would be impossible for the Steamboat Company to provide such splendid accommodation for passengers. The right hon. Gentleman the Postmaster General has a good deal of power in regard to this matter, but even with the subsidy they get from the Government the company could not afford to cary mail bags alone. They must also have passengers, and the passengers must have certain inducements to take a particular route. If the Postmaster General thinks it would be of general advantage to assist in the establishment of the Stranraer and Larne route as an alternative one, I think there would be no movement on the part of the Government that would be more popular in the North of Ireland.

COLONEL WARING (Down, N.): I wish to say a word or two in favour of an alternative route that has as yet hardly

been mentioned. It is obvious that the shortest way between two places is a straight line; and those who have travelled to Ireland by the North Western Railway, and who have looked at the maps exhibited in the carriages, will have seen that the route to Belfast *viâ* Greenore, is as nearly as possible a straight line. In fact, a shorter one could not be devised. The distance may be accomplished in quite as short a time by that route as by any other, and the accommodation would not only be of benefit to Belfast but to the whole of the North of Ireland.

(12.50.) THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): I think that what has been said to-night has shown that this question is not so easy a one as might at first appear on the surface. A great deal has been said in favour of the proposed route *viâ* Stranraer and Larne, and there is much to be said also for the counter-proposals which have been submitted to the Government by the Great Northern Railway of Ireland, and the geographically shortest route, that from Holyhead to Greenore. A considerable amount of public money is in question, and therefore it is incumbent on the Government to exercise the greatest care in order to arrive at the best possible solution. The proposal in regard to the Larne and Stranraer route was not placed before me until the end of last autumn, and it was necessary for the Post Office to consider it, and any counter-proposals that might be made. The latest hour within the last six months at which the mails arrived in Belfast was 12.35 on December 23; that was two and a half hours late. During the last six months (November to May) there have been nine occasions on which the day mail has missed the ordinary despatch from Dublin. This is not satisfactory, and the Government are considering three or four competing schemes for improving the service to Belfast. On the 20th December the mail came in at 10.35; on the 22nd at 10.37; on the 23rd at 12.35; on the 24th at 12.24; on the 7th January at 10.45; on the 8th at 10.35; on the 15th at 10.40; and on the 31st January at 11.40; so that even on the worst occasions there was an interval of four hours between the arrival of the mail and the despatch of the next mail to England. In seeking the remedy, however, it is necessary to take care that the improvement is not effected at the cost of the service to other important towns in the North of Ireland. The Government wish to submit a complete scheme to Parliament, and this cannot be done until the answer from the Railway Companies to which I have referred is received. I quite sympathise with the position taken by the hon. Member for West Belfast, and I can assure the hon. Gentleman that the delay is in no way due to apathy on the part of the Government.

(1.6.) MR. SINCLAIR (Falkirk, &c.): I hope the Postmaster General will also take seriously into consideration the fact that it is very important that letters going out from Belfast to England and Scotland should be delivered early. My experience shows that for these letters the Larne and Stranraer route is the best, and the feeling is strong that this route ought to be developed.

MR. SEXTON: I wish to thank the right hon. Gentleman for the statement he has made. I fully accept his assurance. No doubt the question is a very complicated one. The right hon. Gentleman has shown reasons why the Amendment should not be pressed, and I therefore wish to withdraw it.

Amendment, by leave, withdrawn.

Original Question put, and agreed to.

FORGED TRANSFERS (No. 2) BILL.

(No. 323.)

Read a second time, and committed for Thursday next.

THE BEHRING SEA SEAL FISHERY.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's Hanover Square): My right hon. Friend the First Lord of the Treasury has given notice of his intention on Monday next to move the First Reading of a Bill to give Her Majesty power by Order in Council, during a period to be named in the Order, to prevent the killing of seals by Her Majesty's subjects in the Behring Sea. As the matter is urgent, it will be convenient if the House will permit the Bill to be read a first time to-morrow at 2 o'clock.

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Friday, 29th May, 1891.

NEWFOUNDLAND.

QUESTION—OBSERVATIONS.

LORD NORTON: I beg to ask the noble Marquess at the head of the Government what is the present state of the proceedings relating to Newfoundland?

*THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, the sources of information on that subject are as open to my noble Friend as they are to me. As I understand the circumstances, they are these: Her Majesty's Government proposed to read a second time yesterday in the other House the Bill which passed through this House. In view, however, of certain telegraphic information which has come from Newfoundland, they intimated at the same time that there was a very strong probability that it would not be necessary to carry the Bill to its ultimate conclusion. The House of Commons appears to have disliked the idea of passing the Bill a second time, which it was not certain was to be carried forward, and in place of passing the Bill they passed a Resolution which, as I understand it, pledges that House—I have not got the terms before me, and I am speaking from memory—to support the Convention recently entered into between France and Her Majesty's Government, and to support Her Majesty's Government in executing all their obligations towards France. As to what the immediate result of that proceeding will be, of course, I can only speak with a certain amount of reserve. I do not know what view the French Government will take of it; my present impression is that they will consider that it is an adequate satisfaction of any engagement which Her Majesty's Government has entered into, and that probably we shall go forward to arbitration. But until I have had an opportunity of communicating with the French Government, and until the Treaty has been approved by both Chambers of the French Legislature, I cannot speak on that subject with absolute certainty. With respect to the future, I understand that the result is this—that the House of Commons has pledged itself to support any legislation that may be necessary in order to carry out the obligations which this country has incurred towards France. Whether such legislation will be necessary we do not know. It must depend largely on the action of the Colonial Legislature. The Colonial Legislature is at present in the position of having bound itself absolutely to the *modus vivendi*, as I understand, until the arbitration shall take place, and, after the arbitration has taken place, has bound itself to the execution of the award up to the end of 1893. The information we have received from the delegates is that if by that time Her Majesty's Government shall have agreed upon legislation with respect to the tribunals by which the award and the Treaties are to be enforced, and compensation due to any persons who may suffer under them, then in that case the Newfoundland Legislature will give permanence to the provision which we understand they have now adopted until the end of 1893. One, therefore, of two things must happen. Either we shall agree with the Newfoundland Legislature, and in that case the Act which has just been passed will be made permanent, or, at least, an Act satisfying the essential international conditions of that legislation, or we shall not agree with the Newfoundland Legislature, and then the pledge that has been given by the House of Commons will come into operation, and Imperial legislation in the course of 1893 will be necessary in order to fulfil the international obligations we have contracted towards France. That is my understanding of the result of the proceedings which took place last night, but as the Resolution which was passed was not drafted by a supporter of the Government, and was only accepted by the Government, I have, of course, no more knowledge of the precise meaning to be attached to it than any other person who can judge by the newspapers of what took place. I do not know that I have any cause to regret the terms of the Resolution which was passed; but I think we have all cause

to regret, in view of our international obligations, much of the language used by authoritative persons in the course of the Debate which then took place.

LORD HERSCHELL: My Lords, I should like in reference to the observations which the noble Marquess has made to ask whether, if the Act passed by the Colonial Legislature is substantially in the terms of the Act which it was proposed the Imperial Parliament should pass, so that the Executive possesses the power to enforce Treaties to the same extent as they would have possessed them if an Imperial Act had been passed, it is any concern of France whether those powers are conferred upon the Executive of this country by the Act of the Colonial Legislature or by the Act of the Imperial Parliament—whether that is not entirely a municipal matter with which no foreign Power can have any concern; and whether their concern is not alone to see if the Executive have power to enforce, and to enforce as they have a right to claim we should, any engagements made with them—whether the mode in which that power should be conferred upon the Executive of this country, and the relations between the Government of this country and the Colonial Legislature, are not matters entirely beyond the province of any foreign Government? With reference to the criticisms which the noble Marquess had made upon the language used in "another place," of course I do not know to what language he particularly referred; but I am not aware of any language used there yesterday which casts the slightest doubt upon the obligation of this country towards France, completely to fulfil all its engagements, or on the duty of the Government to see that it was in the possession of power to carry out its Treaty obligations. Beyond that, I venture to submit that the discussion which took place can not be a matter of concern to France.

*LORD THRING: My Lords, I should like to say a few words on this question, which I have studied very deeply. I understand completely what the noble Marquess has just told us, that legislation is absolutely necessary, but I contend that legislation in this matter is unnecessary. The Treaty has, as we all know, been in operation for nearly 200 years, and legislation during the whole of that period existed for only 13 years—for three years after the Act of 1883 and for 10 years after the Act of 1824. Therefore, from the date of the Treaty of Utrecht, in 1713, down to this year, 1891, there have been only 13 years during which any Act of Parliament at all has been necessary. No explanation has ever been given why the Act of 1824, which was the same as the Act of 1883, was necessary. We know that it was dropped in 1834, and there is no tittle of evidence to show that it was dropped because of the legislative powers given to Newfoundland. On the contrary, if for so many years before it was not wanted, it was not wanted then; and the proof is this, that from 1834 down to 1883 no claim was made for legislation. It was never asked for. And why? Quite clearly, in my opinion, because the Queen has absolute power to make Treaties and to give her officers at sea instructions to carry into effect any of the obligations of those Treaties at sea. Then what did the colony do? They are accused of having done nothing. On the contrary; the fact is, they gave every naval officer who commanded on the station a Colonial Commission of the Peace, and under that Colonial Commission he acted in carrying into effect the Treaty obligations on land as part of the Municipal Law of the colony. I admit there were two causes why legislation was not wanted: the Queen, as Admiral of the Seas, carried into effect the obligations of the Treaty at sea, and the colony, by means of the naval officers, carried them into effect on land; and therefore, during nearly two centuries, there has been no Act of Parliament required at all, except that, for some unexplained reason, there was an Act of Parliament in existence during 13 years. Then a Bill was brought in upon a statement that the colony had neglected to perform its Treaty obligations, and what were those Treaty obligations? Why, in the very Preamble of the Bill that was brought in it was stated that the *modus vivendi* was not within the Treaty at all. It states that the Bill was brought in to carry into effect permanent obligations, and it is stated on the face of the Bill that these matters are not within the Treaty obligations, but that the provisions of the Bill are to apply as if they were within the Treaty

obligations. I confess I am at a loss to understand how it can be said that the colony has shown any laches in the matter. The reason why a Colonial Commission was required for the law to be carried into effect on land was that it was part of the Municipal Law; but, undoubtedly, with regard to the *modus vivendi*, which they say on the face of the Bill is not within the Treaty obligations, when they began to talk of permanent obligations, which they say on the very face of the Bill are not within the Treaty obligations, then undoubtedly legislation was required. That being so, I say no blame can be attached to the colony for not carrying into effect obligations which the Government themselves admit, in bringing in the Bill, are not within the Treaty obligations.

THE LORD CHANCELLOR: If I have not misunderstood my noble and learned Friend, I am rather astonished to hear it suggested that Her Majesty, by Treaty, could allow her Admirals to interfere with the private rights of any one of Her Majesty's subjects. That is a new doctrine to me, as matter of law, and I must protest against it.

*LORD THRING: I did not state that the Queen had any right, by reason of her Prerogative, to carry into effect any measures on land whatsoever, but that the Queen has at sea, except by a recent Act to which I need not now refer, always had power to act with regard to obligations under foreign Treaties.

*THE MARQUESS OF SALISBURY: In answer to the question addressed to me, I may say that as far as I can judge I understand the state of the law was quite accurately explained by the noble and learned Lord opposite (Lord Herschell) that the mode in which this country carries out its international obligations is matter for its own concern, and its own concern only, being purely a matter of Imperial discretion. The only thing which I understand France has a right to do is to take notice of any indications which should induce her to think that we did not intend to fulfil any Treaty obligations we have entered into. We have promised to execute the award. If France was justly able to say that anything we have done threw doubt on the genuineness of that intention, I do not say that it would justify, but it would explain the conduct of the French Legislature in declining to go on with the negotiations in regard to the Treaty. But I must not be understood for a moment as saying that anything we have done lends the slightest countenance to that suggestion. I do not think it does. I think it is only from ignorance on the part of people who are unaware of what has actually happened that such a suggestion could be made. I do not think for a moment that anything which has taken place could bear that construction. The House of Commons voted a Resolution unanimously last night; and there is not the slightest ground for believing that there is the slightest intention on the part of any Member there that we should not execute to the fullest the obligations entered into by the Convention. But the French Chamber may not be so thoroughly acquainted with our Parliamentary methods as to enable them properly to appreciate the effect of what was done. With respect to what has been said by the noble and learned Lord, one difficulty about the distinction he drew between sea and land is that the Treaty largely affects the land, and I am afraid the Queen's Prerogative as Admiral of the Sea will not enable us to dispose of the difficulties that arise on the land.

*LORD THRING: I did not say it would. I said exactly the contrary—that the naval officer had power as a Magistrate under the Commission as Justice of the Peace from the Colonial Legislature to execute the obligations of the Treaty which were part of the Municipal Law of the colony.

*THE MARQUESS OF SALISBURY: I can only deeply regret that the noble and learned Lord was not sitting on the judgment seat in Newfoundland at the time the recent action was brought, for, if he had, Her Majesty's officer would not have been cast in damages. It was laid down very distinctly by the presiding Judge that it was not in the power of Her Majesty to confer upon a Treaty concluded by her the character and quality of a municipal obligation.

*LORD THRING: My Lords, I have only to say this, as the proceedings in that particular case were not laid before this House, that the point was never raised to which I am referring now, and that it is intended to raise it.

*THE MARQUESS OF SALISBURY: Of course, I do not know what the noble and learned Lord has been told, but as far as the recent communications go, I gather that they support the view of the law, in which the noble and learned Lord on the Woolsack agrees, that Treaty obligation, old or new, is no part of the Municipal Law of the land, and cannot be made so by any Act of the Executive. That is the difficulty under which we are, and under which we have been for a long time placed. There were two Acts in existence giving that power; one of them, unfortunately, was dropped *per incuriam* I think in 1834; and the other was swept away by the noble and learned Lord with the besom of destruction in one of those Statute Law Revision Acts with which he has so abundantly presented Parliament, and the result of that activity on the part of the noble and learned Lord has been the creation of much of the difficulty into which we have fallen.

*LORD THRING: My Lords, I beg to say in reply to the statement just made that the noble Marquess at the head of the Government is wrong on every point. With regard to the Statute Law Revision Acts I have had the assistance of every Lord Chancellor, beginning with Lord Cairns, and including my noble and learned Friend who at present occupies the Woolsack in passing them, and I beg to say that they have been far the most complete measures for the reform of our law that have ever been enacted. Noble Lords may sneer or laugh as they like, but that is the fact. Then with regard to the statement that we have altered the law, that is not the case. This has been contradicted over and over again. So far from the law having been dropped, as the noble Marquess has said *per incuriam*, it was no such thing. The Act of 1824 was continued first for five years, then for another five years, and was then dropped in 1834. It is not true, as has been stated by the noble Marquess, that any blunder was made by the Statute Revision Acts, for that Act had been entirely obsolete for more than 50 years. Therefore I am justified in saying that the statement with regard to the result of the labours of the Committee, of which I have the honour to be Chairman, is entirely untrue. Then, my Lords, I have never said the Queen had power on land, and I have never said that the Treaties necessarily became part of the Municipal Law. What I say is, that under the very peculiar circumstances of the Treaty of Utrecht, a state of circumstances which I suppose has never existed in any other country or colony, I believe that inasmuch as the legislature of Newfoundland took all their powers subject to that Treaty, in that sense it was part of the Municipal Law of Newfoundland, and has always been in force as such for 200 years.

MORTMAIN AND CHARITABLE USES AMENDMENT BILL [H. L.]

A Bill to amend the law relating to mortmain and charitable uses—Was presented by the Lord Herschell; read 1ª; and to be printed. [No. 140.]

House adjourned at five minutes before Five o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 29th May, 1891.

The House met at Two of the clock.

PRIVATE BUSINESS.

GREAT NORTHERN RAILWAY (IRELAND) BILL—(*by Order.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

*(2.10.) MR. JORDAN (Clare, W.): I regret that I should find myself compelled to oppose the Third Reading of this Bill, but I do so because those I represent feel that, before obtaining further powers, the company should make some effort to provide for the convenience and requirements of the public. Numerous remonstrances and petitions have been forwarded to them, and deputations have waited upon them at their offices in Dublin to ask for reforms. They have not denied that reforms are necessary; all they say is that if we will wait, the reforms will come in due course; but that until the Postal Service has been

facilitated they find it impossible to comply with the demands of the public. They seek now for power to raise £60,000 additional capital, and to increase their borrowing powers, but such an application to Parliament would have been unnecessary if the cheese-paring policy of the company had not led, some time ago, to the very serious Armagh catastrophe. I do not think that at the present moment they accommodate the public to such an extent as to justify Parliament in granting these additional powers. They ought not to be encouraged to come to this House either to borrow money or to buy land for additional purposes until they can show that they have used the powers they already enjoy for the advantage of the public. The populous and industrious community from Dundalk to Londonderry have long been knocking at the doors of the company without obtaining admittance. They say that the train service now given is wholly inadequate to the wants of the public, and that there has been a persistent refusal to give morning and evening trains from Clones to Enniskillen, and from Enniskillen to Clones, and Sunday trains from Dundalk to Derry, and from Derry to Dundalk. No matter in what part of the North of Ireland you may land you cannot get into the interior on a Sunday, and you have to wait until Monday morning or drive on car. There is also a loud complaint of the absence of sanitary arrangements and waiting rooms at several stations; the third-class carriages are most uncomfortable, and the roadways and approaches are maintained in a slovenly condition. Upon these grounds I ask the House not to give this Railway Company the powers they are now asking. At any rate, they should be required to wait until next year in order that in the meantime they may have an opportunity of considering the demands and improving their existing arrangements. The only answer the company give to the appeals which are made to them is that reforms will not pay. I do not see why they should not pay, seeing that there are seven towns from Enniskillen to Clones interested in this matter with large local traffic to schools, fairs, and markets, and for other local purposes, which ought to be remunerative if the railway were only properly managed. I beg to move that the Bill be read a third time on this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question, to add the words "upon this day three months."—(*Mr. Jordan.*)

Question proposed, "That the word 'now' stand part of the Question."

(2.20.) SIR E. HARLAND (Belfast, N.): I rise for the purpose of supporting the Third Reading of the Bill. Irish railways of late years have made marvellous strides, not only in speed but also in regard to the provision made for the general comfort and convenience of passengers. This opposition is directed against the station at Enniskillen, and I think I am able to say, without fear of contradiction, that if there is a railway station which has been improved more than any other in Ireland it is the station at Enniskillen. The sanitary arrangements there are equal to those of any other station in the Kingdom, although it is true that the accommodation on one side of the station is not equal to what it is on the other. The Railway Company fully recognise the deficiency in this respect, but it has been owing to financial considerations that the full development of the entire station has not taken place. There is, however, an excellent means of communication between one side of the station and the other by a bridge over the line. Unfortunately, the line is a single one, and there are difficulties in the working of a great variety of trains at different hours of the day. It must be borne in mind that Enniskillen and Clones are only junctions, so that the interests of other Railway Companies have to be consulted. If the matters complained of by the hon. Gentleman require correction, they ought to be brought before the Railway Commission, and the time of the House ought not to be taken up in discussing them. The provisions of the Bill have already been examined and passed by a Committee upstairs, and I think it is monstrous to bring such frivolous objections now against a Bill of such great importance. This is simply an omnibus Bill for the readjustment of certain powers, and I think we ought to trust to the company to develop the line for their own interests.

Nothing has been adduced by the hon. Gentleman which ought to justify the House in throwing out the Bill upon its final stage.

(2.26.) MR. SEXTON (Belfast, W.): I wish to make a suggestion which I think may have the effect of shortening the Debate. The hon. Baronet opposite will, I think, on reflection, admit that he has not met the case which has been raised by my hon. Friend. The fact that there are junctions at Enniskillen and Clones is no answer to the allegation that the existing arrangements are inconvenient, and there is no reason why the convenience of the public should not be consulted by all the companies concerned. The people who go to one side of the station at Enniskillen are just as much in want of accommodation as those who go to the other, and in applying to Parliament for borrowing powers, there is no reason why the company should not be required to use some of them in making good their present defects. I am afraid the case affords an illustration of the truth of the old axiom, that what is everybody's business is nobody's business. All the company say in the document they have issued against the opposition to the Bill is that the discussion of these matters in the House is inconvenient. Now, there is nothing irregular in such a discussion, and I think the company would have been better advised if they had dealt with the specific allegations which are made against them. As they have refrained from doing so they have practically allowed judgment to go against them by default. The suggestion I wish to make is that my hon. Friend should not persevere with his Motion upon a promise by the Board of Trade that they will use their influence to induce the company to improve their present arrangements.

(2.30.) MR. COURTNEY (Cornwall, Bodmin): I presume that the Railway Company in the statement they have issued refrained from entering into details, because upon a previous occasion it was ruled out of order to discuss them. The Railway Company in declining to go into them have only been following the direction of this House. I have no doubt, however, although I have no authority to speak on their behalf, that if representations are made to the Board of Trade they will see that proper sanitary arrangements are carried out. But it is obvious that this House cannot enter into a detailed examination of questions with which the Bill itself has nothing to do. It would be altogether contrary to the practice of the House to reject the Bill upon the grounds which have been alleged.

MR. T. W. RUSSELL (Tyrone, S.): I do not intend to vote against the Third Reading of the Bill, but, speaking from personal knowledge, I am bound to admit that the sanitary arrangements at the Enniskillen Station are most defective, and that it is almost disgraceful that the Great Northern Railway Company should force the House to discuss them. The line is neither well nor liberally managed, and I think the company will do well to note the discussion which has taken place.

*MR. JORDAN: After the remarks which have been made by the Chairman of Committees, I think the Board of Trade may be induced to use its influence with the Railway Company, and, therefore, I will not press the Amendment.

Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Bill read the third time, and passed.

[New Title.]

LONDON COUNTY COUNCIL (GENERAL POWERS) BILL.—(*by Order.*)

As amended, considered.

*(2.35.) MR. BARTLEY (Islington, N.): I beg to move to add at the end of Clause 63 as a new sub-section—

"Any scheme or schemes passed under this section shall be forthwith laid before both Houses of Parliament and printed."

It will be within the recollection of the House that when this Bill was before us for Second Reading, I urged that an Instruction should be given to the Committee to include in the measure the scheme of superannuation which was proposed to be established. The matter was, I believe, considered by the Committee; but although Amendments have been inserted which are an improvement of the Bill as it originally stood, there is no detailed scheme given and no indication as to how the scheme of superannuation is to work. The question is a large one, seeing that hundreds of thousands of pounds may be involved in the pensioning of the

staff of the London County Council which now, I believe, numbers from 4,000 to 5,000 persons. I still feel bound to complain that there is no scheme defined in the Bill, although the President of the Board of Trade admitted on the Second Reading, that some scheme ought to be put forward. The Committee, however, did not include any detailed scheme, but they have given the London County Council an absolute power to frame a scheme in their own way, and I believe their proposal is that the *employés* shall pay a share and the ratepayers another share. That is not a bad plan in itself, but if correct I should like very much to have seen it before the Bill went through Committee. I have, it may be said, and truly said, no great amount of affection for the County Council, but I think it is only reasonable that in asking this House to sanction a great scheme of superannuation they ought to be required to lay it on the Table in order that we may know what at least the general principles are.

Amendment proposed, at the end of Clause 63, to add as a new sub-section the words—

"Any scheme or schemes passed under this section shall be forthwith laid before both Houses of Parliament and printed."—(*Mr. Bartley.*)

Question proposed, "That those words be there inserted."

*(2.38.) MR. S. WILLIAMSON (Kilmarnock Burghs): As Chairman of the Committee which considered the Bill, I desire to say a few words. Rules founded on recent Legislative Acts, such as the Tyne Improvement Act, 1890, were embodied in the Bill, and special provisions have been inserted in the measure to safeguard the interests of *employés*, of whom there are now about 4,000. The number is being constantly added to; but the Committee considered that it was undesirable to require the County Council to frame an exact Schedule which, in the present position of the Council, would act with cast-iron rigidity. We thought that any scheme which might be framed might be allowed to remain subject to such additions and modifications as might subsequently be found to be desirable. The scheme proposed by the Council has been drawn upon the lines of the Public Improvement Acts; but we considered that a large measure of pliability would be very advantageous. In the case of the Corporation of Liverpool, their Improvement Act of 1882 contains a clause empowering them to grant superannuation if they think fit, but not otherwise, and if a Corporation such as Liverpool has such discretionary powers, why should the London County Council be called upon to frame a rigid cast-iron scheme. Without speaking on behalf of the Committee or of the London County Council, I wish to express a hope, on my own behalf, that the House will not accept this Amendment.

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The hon. Gentleman says that it would have been unwise that the London County Council should be bound down to any cast-iron scheme. I think that is a good reason why a scheme should not have been embodied in the Bill. The hon. Gentleman, no doubt, has considered the matter from that point of view, and having heard all the evidence brought before them the Committee probably arrived at a proper decision. But the present proposal does not involve the question of any cast-iron scheme at all. It simply says that any scheme or schemes which may be framed shall be laid before the House. The House has always dealt differently with questions of London finance than in the case of Local Administrations in other parts of the country, and the House has always expressly required that details of London finance not exacted with regard to other Corporations shall be annually placed before Parliament. This proposal is, therefore, only in accordance with the practice of Parliament, and all that would be done would be to circulate the printed information among Members of Parliament. It would not lie on the Table for the purpose of review by the House —nothing of the kind; it is merely a matter of affording information, and the London County Council, so far as I understand, do not object to the proposal of the hon. Member.

(2.44.) MR. COURTNEY (Cornwall, Bodmin): It is impossible to feel very strongly upon this matter. The London County Council accept the proposal, although they do not like it.

MR. LAWSON (St. Pancras, W.): They have no strong objection to it.

MR. COURTNEY: I would ask the House, however, whether it is wise to accept the Amendment. I do not think it would be of any use to the *employés* of the Council, and as far as the interests of the ratepayers are concerned they can well look after them themselves at the triennial elections. The proposal seems to be an illustration of one of the great vices of the House of Commons—the love of appearing to regulate that which it cannot regulate, and I hope, in spite of the attitude of the President of the Local Government Board, the Amendment will be rejected.

MR. LAWSON: Although the London County Council do not entertain any strong objection to the Amendment, they do regard it as a mischievous innovation. The scheme has been framed in exact accordance with the provisions inserted in other private Bills, and I agree with the Chairman of Committees that it would be a mistake for this House to attempt to relieve the Members of the County Council of any portion of their responsibility to the constituents they represent, and to whom they will have to go at the end of every three years. Therefore I think we are justified in opposing the Amendment.

*MR. RITCHIE: I desire to be understood that I have had a distinct intimation from the County Council that they would agree to the Amendment.

*COLONEL HUGHES (Woolwich): I can quite understand that the County Council take no objection to this Amendment because it will be entirely inoperative as exercising any control over the scheme. It merely means a Return which it is perfectly competent for the House to order at any moment, namely, a Return of the proceedings of the London County Council. I have no objection, if the House wishes to see this scheme, that it should be laid on the Table and published; and it may be that other County Councils and Local Authorities who frame similar schemes may be also asked to present them to Parliament. At the same time, I think that to order the Return of a document in advance by an enactment of this kind is an innovation, and an unnecessary innovation.

MR. J. ROWLANDS (Finsbury, E.): I would ask whether the House is not proposing to place itself in a somewhat ridiculous position? The hon. Gentleman who has just spoken is an active member of the London County Council. He does not object to the Amendment, because it will be inoperative, but I want to know whether if we adopt it it will not place us in a ridiculous position. I think the hon. Member for North Islington (Mr. Bartley) will be well-advised if he will withdraw the Amendment.

(2.50.) The House divided:—Ayes 55; Noes 80.—(Div. List, No. 254.)

QUESTIONS.

INTERMEDIATE EDUCATION IN IRELAND.

MR. SEXTON (Belfast, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the fact that the schools of the Christian Brothers are recognised by the Board of Intermediate Education in Ireland on a footing of absolute equality with the other schools of the country as regards admitting the pupils of the schools to the examinations of the Board, awarding prizes, exhibitions, &c., to the students successful at these examinations, and paying results fees to the managers of the schools; whether these schools, which in the main are primary schools, are excluded by the rules of the National Education Board from a share in the grant annually voted by Parliament for the work of primary education in Ireland; whether attention is called to this anomaly in the Report of the Educational Endowments Commission for 1886-7; whether in the same Report attention is directed to the advantages which would result to education in Ireland if the regulations by which these schools are at present denied recognition by the National Education Board were modified in a certain class of cases, so as to enable these schools to place themselves in connection with that Board; whether his attention has been called to the Report of the Royal Commission of 1868-70, which strongly recommended this modification in the class of cases in question, that is to say, in localities where the children of the various denomina-

tions are provided with schools of their own; whether this recommendation is based by the Commissioners on the fact that, in practice, the attendance in the primary schools in Ireland is to a very large extent unmixed as regards the religious denomination of the pupils; whether the number of unmixed schools, which in 1867 was 2,562, has increased in 1889 to 4,303; and the percentage of such schools similarly increased from 40·2 to 52·5; whether the number of Roman Catholic children in unmixed schools, which was 380,000 in 1867, has increased in 1889 to 574,660; whether it is competent for the National Education Board to make the modification in question; and whether the Irish Government are prepared to recommend this matter to the consideration of the Board; and, if necessary, convey Government sanction?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I do not think that I have really anything to add to the answer which I have already given on this subject. The subject matter of this question was fully dealt with in my reply to a similar one put on May 19th, 1890, and referred to in my reply to a further question asked on the 5th inst. As I then pointed out, various Orders of Monks, including the French Order of Christian Brothers, find no difficulty in taking advantage of the public grants and putting themselves under the general regulations of the National Education Board, and I, therefore, do not see that it is necessary to make a special modification of the rules in favour of one Monastic Order.

MR. SEXTON: The right hon. Gentleman has not stated whether the number of Roman Catholic children in unmixed schools, and the number of such schools themselves, have increased since 1867.

MR. A. J. BALFOUR: Yes, Sir; I believe the figures given in the question, as regards the number of such schools, are accurate, and that the number of Roman Catholic children in those has increased.

MR. SEXTON: Is it competent for the National Education Board to make the modification in question?

MR. A. J. BALFOUR: I apprehend that it would not be competent for the Board to make any great change without statutory authority.

TRAINING COLLEGES IN IRELAND.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is a fact that (with the exception of the Official Training College of the National Education Board), the Training Colleges and all the Schools in connection with the Board are annually inspected and reported upon by Official Inspectors, none of whom are members of the staffs of the institutions on which it is their duty to report; whether the Official Training College is treated exceptionally in this respect, being reported upon, not by the Ordinary Inspectors of the Board, but by four officials who sign their Report as Superintendents; whether the "Superintendents'" Report for 1887 and 1888 contains the following passage:—

> "The management of the College is intrusted to four Professors. The Professors lecture the Queen's Scholars, and exercise a supervision over the domestic establishment";

whether the "Professors," whose duties are thus described, are the Superintendents themselves who thus report upon their own work; and whether, if so, he will call the attention of the National Education Board to the desirability, in the interests of the Public Service, of putting an end to so anomalous an arrangement?

MR. A. J. BALFOUR: The arrangement for the inspection of the Denominational Training Colleges and their practising schools are as indicated by the hon. Member. It is likewise the case that the Official Training College, with its practising schools, was treated for a period of upwards of half a century in the special manner referred to; but in accordance with the adoption of our proposals of last year, placing the Official Training College in all respects on an equality of treatment with the Denominational Training Colleges, it will henceforth be inspected and reported upon by the same head Inspector who has charge of those colleges.

IRISH LAND DEPARTMENT BILL.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in view of the fact that the Irish Land Department Bill cannot be proceeded

with during the present Session, he will consider the propriety of embodying Clause 29 of that measure, which deals with long and perpetuity leaseholders, as a separate Bill, and so securing its passage this Session?

MR. A. J. BALFOUR: I am afraid it is true that the chance of passing the Land Department Bill this Session is very small, and it is also true, I believe, that it would not be in order to introduce Clause 29 of that measure into the Land Purchase Bill as an Amendment designed to give relief to long and perpetuity leaseholders. But I cannot undertake to introduce a separate Bill embodying Clause 29 of the Land Department Bill unless I could be assured that it would meet with general acceptance.

MR. T. W. RUSSELL: As far as I can judge, there is nobody on this side of the House who would oppose such a measure. The Irish Members are unanimous in holding that a clause of this kind ought to be passed.

MR. A. J. BALFOUR: The point is whether there would be any opposition to the proposed Bill from any quarter of the House. If the hon. Member can give me an assurance that from no quarter of the House will there be opposition I will consider the matter.

MR. SEXTON: May I ask you, Sir, whether it would be out of order to move that the clause be introduced into the Land Purchase Bill?

*MR. SPEAKER: As the Committee stage has now been closed, I cannot give an opinion before the question is raised as a point of order on the Land Bill itself.

IRISH RELIEF WORKS.

MR. STACK (Kerry, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether a number of men in want of food were registered on the 23rd of March last for employment on the relief works in the parish of Glengariff, County Cork, but have not yet been taken on; why inquiries addressed to the Under Secretary on the subject have remained unanswered; and whether prompt measures will now be taken to mitigate the great distress in the parish of Glengariff by affording this employment?

MR. A. J. BALFOUR: A list of applicants for employment on relief works in the districts mentioned was received, and the circumstances investigated, with the result that instructions have been now issued to the supervisor of works to employ those who have been found eligible. It does not appear to be the case that communications addressed to the Under Secretary on the subject have remained unanswered. On the contrary, all such received were duly replied to, and otherwise obtained prompt attention.

MR. FOLEY (Galway, Connemara): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, if any, and what arrangements have been made with a view of commencing relief works in Clonbur and Cong to relieve the starving people in those districts; and whether, after repeated representations by the Clifden Board of Guardians as to the distress which exists in Enislannan, and the promise made by the Government that relief works would be commenced to relieve such distress, the Government will at once make the necessary arrangements to carry out such work as promised?

MR. A. J. BALFOUR: Relief works have been opened in each of the districts mentioned, and the question of what further measures shall be taken is now under consideration.

THE EDUCATION CODE.

MR. PICTON (Leicester): I beg to ask the Vice President of the Committee of Council on Education whether any approximate estimate has been made by the Department of the number of schools to whom the grant under Article 105 of the Code will be payable during the year ending 30th August next; and if he will state the number?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): It was roughly estimated, when the new Code was in preparation, that about 4,500 schools might receive the additional grant under Article 105, but, so far as we can judge, the estimate may not be fully realised.

SEVERE SENTENCE.

MR. MORTON (Peterborough): I beg to ask the Secretary of State for the Home Department whether his attention

has been called to the following report which appeared in the *Daily News* of the 20th instant:—

"At the Bedford Division Police Court on Saturday, a labourer named Wallinger was sentenced to three months' hard labour for stealing four mangold wurzels, value threepence;"

and whether he will inquire into the circumstances of the case, and consider whether some diminution of the sentence might be accorded?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): The Secretary of State's attention has been called to a newspaper report of this case, and he has caused inquiry to be made into the circumstances.

THE PORTUGUESE IN AFRICA.

DR. CAMERON (Glasgow, College): I beg to ask the Under Secretary of State for Foreign Affairs whether he has received any information regarding the reported attack on Major Johnston's expedition by a Portuguese force on the Pungwé River; whether he has yet received details of the reported outrage by the Portuguese on the same river on Sir John Willoughby's expedition; whether he has yet received details regarding the seizure of the British steamer *Countess of Carnarvon* by the Portuguese on the Limpopo River; and whether he proposes to lay Papers on all or any of these occurrences before the House?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham) (for Sir J. FERGUSSON): We have received no information as to any expedition having been taken by Major Johnston up the Pungwé River. The reported hostilities (as to which numerous reports, but no reliable information has been received) appear to have taken place beyond Massi-Kessi. A Report has been received from Sir John Willoughby respecting the stoppage at Beira of his expedition, and it is being considered. Meanwhile, the vessels and lighters detained have been released; the *Agnes* has gone up the Pungwé, but the expedition has been detained at Mopanda as a precautionary measure, in view of the reported hostilities by the British authorities acting with the Portuguese Governor. Reports as to the seizure of the *Countess of Carnarvon* have been received, but they are incomplete, as the proceedings of the Court at Lorenzo Marques have not reached us. Meanwhile, she has been released on the Vice Consul undertaking that the owners will abide by the decision of the two Governments. In the present incomplete state of information it is not proposed to lay Papers.

COUNTY COUNCIL ELECTIONS.

MR. T. ROBINSON (Gloucester): I had intended to ask the President of the Local Government Board whether he intends to introduce a Bill this Session to alter the date of the next County Council elections; if so, when he expects to be able to introduce it; and on what date does he propose they should be held; and whether he has considered the desirability of permanently fixing them to take place in the month of March, when the electors could record their votes during daylight, instead of the 1st of November? When I gave notice of the question I was not aware that the right hon. Gentleman had already answered a somewhat similar question. I am satisfied with the answer which he gave, but I should like to have his opinion as to the desirability of permanently fixing the elections.

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): Does the hon. Gentleman mean with regard to the date?

*MR. T. ROBINSON: I wish to know whether the date is to be permanently fixed to take place in March?

*MR. RITCHIE: It is to be permanent, and not temporary.

CLERK OF ENROLMENTS.

MR. MORTON: I beg to ask the First Lord of the Treasury whether his attention has been called to the vacancy, caused by the death of Lord Romilly, in the office of Clerk of the Emoluments; and whether he will consider the advisability of not making a fresh appointment, on the ground that the office is now a sinecure?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The Clerk of Enrolments, which is, I presume, the office intended to be referred to, is abolished under the terms of the Supreme Court of Judicature Officers' Act of 1869.

MOTION.

SEAL FISHERY (BEHRING SEA) BILL.

On Motion of Mr. William Henry Smith, Bill to enable Her Majesty, by Order in Council, to make special provision for prohibiting the catching of Seals in Behring Sea by Her Majesty's subjects during the period named in the Order, ordered to be brought in by Mr. William Henry Smith, Mr. Secretary Matthews, and Sir James Fergusson.

Bill presented, and read first time. [Bill 345.]

ORDERS OF THE DAY.

CUSTOMS AND INLAND REVENUE BILL.—(No. 297.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

Question proposed, "That Clause 1 stand part of the Bill."

*(3.15.) MR. H. H. FOWLER (Wolverhampton, E.): I feel it my duty to take the sense of the Committee on the question whether any further progress ought to be made with the Bill to-day. There are two grounds for the course which I am taking—one a constitutional ground, and the other a ground affecting the pledges of the First Lord of the Treasury. I will deal with the constitutional ground first. I object to proceed with a measure which imposes the taxation of the year without disclosing in what manner that taxation is to be spent. The question was fully raised last year on two Bills which were then before the House, and the House determined that it would not proceed with the consideration of a Money Bill until it had before it the manner and the conditions on which the money was to be spent. I know there is this difference between the procedure of last year and this—that this year no new tax is proposed, but only the continuance of an old tax at a rate which would not be necessary except for new expenditure, which would not form part of the expenditure of last year. In November the Queen's Speech stated that the Bill relating to education was to be one of the prominent measures of the year. In the Budget Statement which the Chancellor of the Exchequer printed, the right hon. Gentleman put down £920,000 for six months' expenditure in the cause of free or assisted education; and somehow or other, by some error which has never been fully explained, the words "Consolidated Fund" were printed in juxtaposition with the sum named, it being thereby indicated to the House that the Government did not mean this money to form part of the annual expenditure controlled by Parliament, but that it was to be a permanent charge on the Consolidated Fund, with which it would not be in the power of the House of Commons to interfere.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I am sure that the right hon. Gentleman has no desire to misrepresent me. We never contemplated that the charge for education should be put upon the Consolidated Fund.

*MR. H. H. FOWLER: I should be sorry to misrepresent the Chancellor of the Exchequer, and I must express my great satisfaction at hearing the statement which the right hon. Gentleman has just made. The right hon. Gentleman will admit that there was some ground for the impression, seeing that the printed statement relating to the Budget contained the words "Consolidated Fund." I am, therefore, glad that the matter is now disposed of; but it does not affect my statement as to the control of the House of Commons over the Expenditure. If the Government did not propose to increase the Expenditure of this country by £2,000,000 per annum for the purpose of education, there would be no necessity for paying an Income Tax at 6d. in the £1 and a Tea Duty at 4d. The Bill in its present shape is not required unless a new expenditure on new conditions is to be undertaken. The House has a right to know what those conditions are. The Chancellor of the Exchequer stated his proposals on the 23rd of April; we have now reached the 29th of May, and we are still in the dark as to what the Government are going to do. In these circumstances, the House is justified in declining to go on with this Bill until the Education Bill is brought in. I am not asking that this Bill should be delayed until the new Education Bill is read a second time, or is passed through Committee, or sent to the other

House; what I do ask is that the Government should let the House know what their propositions are and what they intend to do. A great scheme of education has been in satisfactory operation for upwards of 21 years, and it is now wisely proposed to expand it. The proposal of the Government is to confer upon the country the benefits of free education, though with regard to that I must say the House has not had any clear expression, one Minister speaking of free, another of assisted, education, one train of thought leading people to believe that it is to be universal, another that it is to be limited. We are now within two months of the end of the Session, and what is a first-class Bill has not yet been laid upon the Table of the House. Ample time should be given not only to the House, but to the country, to consider the Bill, and it is necessary that both the clergy and the Nonconformists, who are deeply interested in the question of education, should have an opportunity of studying it. I am sure the Government would not desire to take the country by surprise. But if the Government are to introduce a first-class measure in the middle of the month of June—for that is the proposition of the First Lord of the Treasury—and a measure which is not to be considered until the Land Bill is out of the way, I say that that would be taking the country by surprise. On these grounds, if I had no other, I should be justified in asking to report Progress. But I have other and more personal grounds in the statements the Government have made. I would be the last man to imply that the Government have misled the House. But the Chancellor of the Exchequer said that whatever promises the First Lord of the Treasury had made would be rigidly adhered to. Let me recall what has been actually said on this question on the Budget night. The first question was as to when the House was to know the proposals of the Government with reference to free education. These were the words of the right hon. Gentleman's reply—I am quoting from the report of the *Times*—

"As to when we may be able to introduce the Bill, that will depend to a great extent upon the House itself. The Government would see what progress was made with the Land Bill. There would be no delay on the part of the Government in introducing the Bill."

And in reply to my right hon. Friend the Member for the Brightside Division of Sheffield (Mr. Mundella) the First Lord of the Treasury said that—

"The Government had no intention of tying up the Education Bill until the Land Bill should be out of the way."

But the statement last night was that it is to be tied up until the Land Bill is out of the way. The Land Bill is now at the Report stage, and after that it will be read a third time without delay. The First Lord went on to say that it is necessary to make progress with other measures. Certainly; we have six weeks to do so, and we have passed through Committee one of the most difficult and complicated measures which have ever been passed through Parliament. There has been talk of obstruction; but, considering the grave difficulties of that Bill and the masterly ability shown in its discussion by the Chief Secretary and the Member for West Belfast (Mr. Sexton), it has been got through in a much shorter time than any Bill of equal complexity has been passed in the last 10 years. And now the First Lord of the Treasury says that the new Education Bill will be brought in in the middle of June, and passed through at the end of July. In these circumstances, I think I am justified in moving that the Chairman do report Progress, and ask leave to sit again.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. H. H. Fowler.*)

(3.28.) MR. GOSCHEN: The right hon. Gentleman objects to proceeding with the Customs and Inland Revenue Bill until the House has seen the Bill dealing with education. I gather from what was said by the right hon. Member for Derby (Sir W. Harcourt) a day or two ago that he questions the right of the House to deal with the Third Reading of this Bill until it has seen the Education Bill. To that suggestion I am prepared to accede. But, acknowledging some force in the remarks of the right hon. Gentleman opposite with regard to the allocation of

the public time, I am by no means anxious to force this Bill through until the House has seen the Education Bill. I should still wish that the Government should be allowed to pass the Bill through its Committee stage, and in that case we would not proceed to the Third Reading until the House has seen the Education Bill. But I would go further and say that rather than lose time, which we are most anxious to save, in discussion about the particular day on which the Education Bill shall be introduced, and in order to avoid a wrangle, I will accept the Motion of the right hon. Gentleman. I trust the right hon. Gentleman will see that I have met his suggestion in the most conciliatory spirit. Perhaps the right hon. Gentleman and other hon. Members think there is some hesitation on the part of the Government in bringing in a Bill for free education at all. In that case, then, the proposition of the right hon. Gentleman would have been most embarrassing. But there is no such hesitation. With regard to the date when the Bill is to be dealt with, it is no doubt a first-class measure, but it could not be introduced at so early a day as first-class measures are usually introduced. The Bill depends, as the Committee is aware, to a great extent on whether there is to be a surplus or not. It was always announced that it would depend upon the existence of a surplus, and that fact could not be ascertained until the Budget was passed. It is, therefore, clear that the Bill could not be introduced before the end of the financial year. My right hon. Friend will be prepared on Monday next to state the precise date on which the Education Bill will be introduced, and we will endeavour to meet the desire of the House to have a proper interval before the Second Reading of the Bill is taken. It would not, however, be desirable to interrupt the Land Bill for a number of nights; and it is to be expected that the Debate on the introduction of the Education Bill will not be prolonged. Our action must largely depend on the assurances we receive as to the Land Bill proceeding without serious interruption. I think that is a fair suggestion to make. I gather from the right hon. Gentleman the Member for Derby that we need not expect opposition to the First Reading—that what is desired is to see the Bill. We are somewhat reluctant to arrest the Land Purchase Bill, but as we feel the Bill will not be seriously interrupted, we are ready to meet both sides of the House and introduce the Education Bill even before the Land Bill has been disposed of. I think I have met the proposal of the right hon. Member for Wolverhampton in a fair spirit, and I trust that we shall be able now to make considerable progress with Supply. We had some hope yesterday, when we made a concession, that we should make some considerable progress with business. We got one Vote. It was an important Vote, but it was only one. I hope that we may to-day be met in a conciliatory spirit.

(3.35.) SIR G. TREVELYAN (Glasgow, Bridgeton): The Chancellor of the Exchequer has met my right hon. Friend in a very handsome manner, and I think he has done so because he feels that my right hon. Friend's proposal was based on a genuine conviction on his own part and on the part of those who sit beside him. The right hon. Gentleman has agreed not to proceed to-day if he is pressed on this side of the House—not to proceed to-day with the Committee on the Bill. Well, I think he must be pressed from this side of the House. We conceive that by so pressing him we are endeavouring to establish the constitutional position that we should not vote public money until we know the general outline of the Services for which that public money is designed. The right hon. Gentleman hopes that substantial progress will be made with Supply in consequence of his treatment of this matter. I think that progress ought to be made, and I will only say, in explanation of the length of the Debate yesterday, that that was really the first opportunity which the crofter Members—that is to say, the Members for nearly half Scotland in acreage—had had of saying anything on the one great subject in which their constituents are interested, because the Government recently were obliged to take the evening on which the crofter questions were to have been discussed. Now, I think it would be extremely ungracious to question that when the First Lord of the Treasury engages to fix the precise date at which he will introduce the Education

Bill, that date will be a not very remote one. I consider the word "precise" means that it will be a declaration which will satisfy the House with regard to the proximity of the discussion, and I was very glad to hear the Chancellor of the Exchequer intimate that the Bill might be, and would be, introduced during the Report of the Irish Land Purchase Bill, especially if that Report went on for any number of days. An engagement was asked for on this side of the House, and I think the Government will feel that no one can give an absolute engagement that the discussion on the First Reading of the Education Bill shall be short. For my own part, I am always in favour of short Debates and short speeches, and I firmly believe that if the Bill put before the House is a plain, straightforward Bill we might, in the course of a single long evening, put before the country an outline of our plans upon the Bill such as would enable the country to be enlightened, so far as it can be enlightened, by speeches in Parliament. But if one evening would not suffice, two evenings ought to suffice for the purpose; and I do not think that in the last resort any one would say that two evenings would be too much for the First Reading of what may be the most interesting and important Bill the House has had before it for years. But we on this Bench will use our best endeavours to meet the Government reasonably, and to cut down the Debate.

(3 40.) MR. BRYCE (Aberdeen, S.): I should like to ask a question with regard to the Scotch Bill. There will be a grant to Scotland corresponding in amount with that which is to be made to England, and it was indicated by the Chancellor of the Exchequer before Whitsuntide that it would be impossible to state the nature of the proposals with regard to Scotland until the Free Education Bill was before the House. I hope I was right in gathering from that that he proposed to make a parallel statement with regard to the Scotch Bill at the same time as he made one with regard to the Irish Bill. I would ask the Government whether we may rely upon it that, assuming that the Education Bill is brought in, either a Bill will be introduced or a statement made on the subject? It is understood that the Government have had brought before them a number of different proposals with regard to the Scotch grants. That is a matter which has excited a good deal of different opinion in Scotland, and it is eminently desirable that the same opportunity should be given for Scotch opinion to be expressed as exists for the expression of English opinion.

MR. SEXTON (Belfast, W.): I understand that on Monday we shall know whether the Report of the Land Purchase Bill will be interrupted. I suppose a statement will then be made as to what is to be done with regard to the appropriation of Ireland's share of the grant?

*MR. GOSCHEN: I cannot allow myself to be too much impressed with the view of my hon. Friend (Mr. Bryce) in this matter. We must not attempt to prove to the House the difficulty to which we shall expose ourselves if we interrupt the Land Purchase Bill Report to make a statement about business. If we are to have a Debate on the distribution of the Scotch and Irish proportion of the grant, it will be impossible for us to deal with the matter at all, or to make a statement, until the Report on the Irish Land Purchase Bill has been finished. We have gone as far as we can, and I cannot at present undertake that anything further shall be done than to introduce the English Education Bill, and I think hon. Members will see that if we are pressed too much we shall have to adhere to our original plan.

(3.45.) MR. CAMPBELL-BANNERMAN (Stirling, &c.): I think the right hon. Gentleman has a little misunderstood the object of my hon. Friend the Member for Aberdeen (Mr. Bryce). I sympathise with my hon. Friend in thinking that, as there is a large sum of money to be disposed of in Scotland, the Scotch people should have ample time to consider what the proposal with regard to Scotland is, but I do not think my hon. Friend would consider that any Debate upon the subject should be interposed on the Report stage of the Purchase Bill. We want to know as soon as possible what fate the Government has in store for us; but I do not think the claim is anything like as strong for a Debate on that subject as on the subject of English education. If I may be allowed to express what I think is

still felt in this House I may say that if the Government introduce the Education Bill as soon as possible I do not see that there would be any occasion for any very elaborate Debate on the First Reading, and the Government may rely upon it that no unreasonable advantage would be taken of their action.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I think there should be a full understanding on this subject. I know that no hon. or right hon. Gentleman is able to enter into an absolute agreement that the Debate on the First Reading of the Education Bill shall not be continued beyond one night. It is contrary, I believe, to Parliamentary usage that a long Debate should take place at that stage, and I think I may fairly ask the House that there should be an understanding that they will not protract discussion beyond one evening.

*MR. H. H. FOWLER: I only interpose for one moment to thank the Chancellor of the Exchequer and the First Lord of the Treasury for the manner in which they have met me. I would remind them that on the introduction of one of the most important measures of recent times—the Local Government Bill—my right hon. Friend the Member for Mid Lothian (Mr. Gladstone) deprecated discussion until the measure itself was in the hands of Members. Although there must be some discursive discussion on the introduction of the Free Education Bill, as there is on a Budget night, I certainly express my concurrence in the views of my right hon. Friend, that one night would be sufficient to discuss the speech of the statesman who brings in the Bill. Under these circumstances I think the Government have come to a very satisfactory arrangement. We must ask that the Chancellor of the Exchequer will not proceed further with the Budget Bill to-night.

(3.50.) MR. SEXTON: We do not intend to debate the announcement of the proposal with regard to Ireland. We shall certainly wish to know what the Government proposals are respecting Ireland. We are disappointed at not having had this information, and shall take means to make our disappointment felt.

MR. BUCHANAN (Edinburgh, W.): I think we have a fair claim to get some answer from the Treasury Bench as to how the Scotch share of the money is to be disposed of.

MR. PICTON (Leicester): The Government seem to think that under any circumstances there is only to be one night of discussion on the introduction of the Bill, whatever the statement may be. But if there is anything very startling or horrifying in the statement of the Minister who introduces it, on this side of the House we cannot guarantee passing the First Reading in one night.

*MR. W. H. SMITH: I think I can allay the terrible alarm of the hon. Member; his fears are not likely to be realised. For my own part I know that my hon. Friends behind me are equally anxious to see the measure, and there will be no delay in naming a day, when I trust that the House will deal with the Bill as it is accustomed to deal with a question of this kind

Committee report Progress; to sit again upon Thursday next.

PUBLIC ACCOUNTS AND CHARGES BILL.—(No. 252.)

SECOND READING.

Order for Second Reading read.

*(3.55.) THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): Perhaps I may may be allowed to say just a few words in explanation of this Bill. It is a very simple one, dealing with one or two small reforms which I think will be acceptable to the House. In the first place, it proposes to give us power to abolish the office of Receiver General, this having become possible by reason of the vacancy created by the death of Sir A. Slade. It has been thought that the time has now arrived to make the system in the Inland Revenue the same as that which prevails in the Post Office and the Customs Department. The result will be a saving of £1,500 a year. Clause 2 deals with Appropriations in Aid. Up to 1881 the system of dealing with extra receipts was not uniform in the various departments, and the Public Accounts Committee had been for some time calling attention to the fact. In 1881 a Treasury

Minute with regard to Appropriations in Aid with regard to the Army and the Navy was considered by the Public Accounts Committee and adopted. Since that time there has been a considerable step taken in the direction of using these extra receipts and appropriations by way of reduction of the Estimates rather than paying them into the Exchequer and dealing with the money twice over. There is now no statutory authority on the Controller and Auditor General to audit these accounts, and, though he does so, it is thought desirable to settle the matter by imposing the duty upon him. The Bill also proposes to make a slight alteration in the adjustment of certain annuities which is consequent on the conversion of the National Debt. Clause 4 gives power to deal with the money for the light railways in Ireland. The House will remember that power was given to the Treasury to spend £600,000 as a capital sum under the Act of 1889, or an equivalent sum in Annuities. Power was also given under the Act of 1889 to spend the balance of £40,000 a year given under the Act of 1883. The balance remaining can only be used in the form of Perpetual Annuities. The Government are of opinion that in contributing, as they are doing, towards the capital cost of these railways that capital cost ought not to be contributed in the form of Perpetual Annuities, but that there should be power to pay either a capital sum out of the loan or to allow Terminable Annuities not exceeding 10 years, and in that way shorten the period during which the whole of the capital contributed by the Government will be paid. I think the House will approve of that. The other portion of the Bill practically abolishes the preachership of the Rolls Chapel. It has been found necessary either to pull down or seriously alter the Rolls Chapel, and therefore it is proposed in this form to abolish the preachership, which is worth some £200 a year, payable out of the Consolidated Fund. I hope I have sufficiently explained the provisions of the Bill, and will now move its Second Reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Jackson.*)

(4.5.) MR. E. ROBERTSON (Dundee): I wish to make a few remarks on this Bill. The mandate to the House is to amend certain provisions of the law with respect to charges on the Consolidated Fund. That is a large and vague order, and may, perhaps, justify the irrelevancy of the subjects the Bill deals with. Practically the proposal of the Bill comes to this, that we are substituting a capital sum for certain annual sums of £20,000 and £40,000, which appears to me to involve a capital sum not of £600,000 as stated in the Bill, but of £666,666.

*MR. JACKSON: No.

MR. E. ROBERTSON: I think it does; at any rate, that is how I read the Act. There are in all five or six distinct proposals, including one to disestablish and disendow a fragment of the Church of England. I do not object to that proposal, but I propose to add to the miscellaneous contents of the Bill myself. I desire to move, either by way of Amendment or by way of Instruction to the Committee, that certain other charges shall be taken off the Consolidated Fund—namely, the charges relating to the inferior order of Judges in Scotland, in England, and in Ireland. If such a proposal is not relevant to the Bill, I protest against the present contents of the Bill, on the ground that if they are held relevant it would be giving power to the Government to do that which a private Member is not allowed to do. I am not going to oppose the Bill I have risen simply for the purpose of getting a position for myself in respect of the Amendment I propose to move.

*(4.15.) MR. ROBY (Lancashire, S.E., Eccles): I do not rise in opposition to this Bill, but to elicit some information relative to the 5th clause. I have searched in the financial accounts of last year to see how this sum is expended, but I have been unsuccessful. I observe that Clause 5 proposes to discontinue on the next vacancy the preachership. I want to know what is to become of the readership and the other offices. I should have rather expected—possibly that is still to come—that the Chancellor of the Exchequer, an old Oxford man, would have shed a tear, perhaps even have pronounced a funeral eulogium

upon the preachership of the Rolls Chapel, remembering as he will the famous sermons of Bishop Butler, and remembering also a recent occupant of the office, Mr. Brewer, one of the most able and learned historians of England in my time. If there is no congregation, and the chapel requires to be removed, then I think this is a very desirable and useful reform, though I regret the loss of an ancient office and the abolition of what might have almost had a place among the list of ancient monuments.

MR. SEXTON (Belfast, W.): I would point out on the financial question, that the Treasury ask power to limit the capital sum to £600,000, which reduces the annual sum accordingly. They will take the whole balance by way of a capital sum; and such a financial arrangement, sanctioned by Parliament, is not open to serious question.

MR. COURTNEY (Cornwall, Bodmin): If the chapel is to be pulled down, there is one special question I would like to ask. It is whether some special care will be taken of the beautiful monument erected in the chapel in the reign of Henry VII., one of the finest monuments of the early part of the 15th century. If the skill of Bishop Butler is not strong enough to preserve the chapel, at all events let us preserve that little monument against harm.

(4.19.) MR. JACKSON: I believe the readership and the preachership have been united for some time, so that the one office will be abolished with the other, and inasmuch as the charge is on the Consolidated Fund, legislation is required. I stated that the chapel was to be pulled down, but in doing so I was looking a little into the future. Anyone who is acquainted with the enormous growth of requirements upon the Rolls Office must know that eventually the chapel will have to be pulled down; but it is true that there is a tender regard for the ancient structure, and the interesting monument to which the right hon. Gentleman has referred. For the present the chapel is to remain, and passages and communications will be so arranged and dovetailed that the necessity for pulling down the chapel will be avoided.

MR. CRAIG (Newcastle-upon-Tyne) On referring to Sub-section 1 of Clause 4, I agree with my hon. Friend the Member for Dundee that the sum required is £666,000.

Question put, and agreed to.

Bill read a second time, and committed for Monday next.

SUPPLY—CIVIL SERVICE ESTIMATES.

Considered in Committee.

(In the Committee.)

CLASS I.

1. £135,770, to complete the sum for the Surveys of the United Kingdom.

*(4.24.) MR. ROBY: I rise to continue the remarks which I began on the 6th of April, and which were interrupted at midnight. I wish, in the first place, to say that I do not in any way reflect on the officers of the Ordnance Survey. I believe the survey has been conducted with great ability and excellence, and I desire not to be understood as throwing any blame on the Department. Nor is this in any respect a Party matter; it is one on which I hope Members on both sides of the House will make common cause. I can assure the Minister of Agriculture who has charge of this Department, that I have not the smallest desire to say anything against his conduct of the business. I believe he will agree with me in saying that this survey ought to be carried out more speedily. The real fault is, as is generally the case, with the Treasury, the money appropriated not being adequate for the work that is to be done. It will be known to many Members that the survey comprehends three principal distinct publications. The most important is the survey of the country on the scale of 25 inches to the mile, the next six inches to the mile, and the next one inch to the mile, besides some very large surveys of towns. The 25 inch survey constitutes practically the parish plans. I find that the whole of England has been published on that scale, with the exception of Lancashire and Yorkshire. Part of Scotland has been published on it, but at present very little of Ireland, and the survey there is now proceeding. The survey itself on the 25 inch scale has been carried on since

the year 1862—30 years. As to the six inch survey it is that on which a a map of the whole of England and Scotland and Ireland has been published. But the survey is still older. It began in 1842, and went on to about 1854. Consequently we have 25 inch survey, which is the root of the whole, reduced to six inch, and then to one inch, in a period reaching over 30 years. The six inch survey reaches up to 50 years, and hardly any of it is less than 35 years. Now we come to that which is regarded by many people as the Ordnance Survey, namely, the one inch, and it is upon that I wish particularly to speak. It is the only one which comes within the ordinary notions of a map for military or general purposes. Indeed, the origin of the whole survey arose from the necessity of making military roads in Scotland, after the rebellion of 1745. After being stopped for a time at the beginning of the century, it was pushed forward at the desire of gentlemen in Lincoln who wanted a good hunting map. I hope that will win the sympathy of the Minister of Agriculture. Well, now, the first publication of the English survey began in 1801, and was finished in 1870. The maps which we have at present of Lancashire and Yorkshire rest upon the survey of from 35 to 50 years. These counties have changed in the course of that time, and I cannot help thinking it an extraordinary thing that it should be left to me in the year 1891 to plead for more rapidity in the publication of the survey of these two counties. I find from the Director General's Report that at the present time the maps of half of England are based upon the old survey. I do not know whether many hon. Members have looked at the publications of the Ordnance Survey. These are now published in two ways; in outline or with contour lines, and with hill-shading. It is sometimes said that outline maps are more popular than hill-shaded maps, but I believe that the real reason of the greater popularity of the former is that they are generally of later date. I have been in the habit of frequently using both, and undoubtedly, for all practical purposes, the hill-shaded maps are the best. For ordinary persons a map with hill-shading is the only map that realises their idea of what a map should be. Yet only one-fifth of the maps of the new series have hill-shading. Now, there is the old series of maps going back to 1801, while of the new series only one-fifth have been published with hill-shading, and of those the great bulk are of the 6in. survey. If any one examines the maps attached to the Director General's Report, he will see that the hill-shading is hardly to be found anywhere except in the Northern Counties maps. The Director General reckons that the new series of 1in. maps will not be completed before 1925, or, on the average, 55 years after the survey was made. It has often been urged that strenuous efforts should be made to expedite the work, and in 1882 the Treasury in a Minute "recognised the necessity of a revision of the survey, which should be constantly in progress at such a rate that the whole would be completed in 15 years at least." Before I knew of this, my feeling was that 20 years might be a reasonable limit; yet the Treasury in 1882 said 15, and the Director General, in his last Report, admits that at the present rate of progress the series will not be completed till 1925. When, on 22nd December, 1886, the Treasury issued an Instruction on the subject it took care to add a cautious Memorandum, and to insist "it should be clearly understood, with reference to the revision of the survey, that it did not bind itself to any fixed term for its completion, or to supply any fixed annual sum for executing the work." In other words, having come to a certain resolution, they intimated that they would give no effect to it. It is a curious fact that that Memorandum was issued just at the time when a right hon. Gentleman, who is now surveying Africa, described himself as appalled by the magnitude of the Estimates for the Army and Navy. Was he frightened by the word "Ordnance"? The Director General, in an article contributed to a magazine, recently explained that the revision of the survey had unfortunately fallen so much in arrear that in many places revision really meant a new survey. Those who wish to learn something about the topography of Leeds and its environs can only do so by taking two maps, repre-

senting the survey of 1858, and two others representing the survey of 1843, and these maps are of different sizes. The plates from which the maps were printed are much worn; the hills have almost vanished, and the rivers are disappearing rapidly. Indeed, the maps will be worth keeping as a curiosity, because they will show what was considered to be an adequate representation of the English country towards the end of the 19th century. The question of revision is simply a question of money. It is almost impossible for the Survey Department with its present staff to cope with the arrears that have accumulated. When once the arrears have been cleared off, it would become simply a matter of revision. I would suggest to the Government that the Survey Department should be divided into two parts—one to undertake the revision of the survey, and the other for the maintenance of the survey. Of course, it would be necessary to increase the staff, in order to bring up the survey to a reasonable date. The Director General reports that for this work a military organisation is much more satisfactory than a civil one. May I point out it always has been a military organisation? The heads of the Department are officers of the Royal Engineers, who hold their appointments for five years only. I think that they ought to continue at the work for a longer period, instead of being removed just when they have thoroughly mastered their duties. A large number of civil servants are employed, but they obviously hold inferior positions, seeing that in the Estimate they are all lumped together under one head at wages of 25s. a week. I do not profess to be able to give a confident opinion as to the desirability of a change in this respect, beyond urging that the officers' period of service should not be limited to five years. That would ensure a more permanent staff. I am told that the officers do not care for the work. Mr. H. T. Crook, the Civil Engineer of Manchester, to whom, as I said before, I am so much indebted, writes to me—

"The major portion of the work is now in no sense military, and I know of Royal Engineer officers who have resigned their survey appointments on that ground."

Mr. Roby

I commend that matter to the attention of the Government. Nobody could desire less than I do to cast a slur on the Engineers, but the Government might consider the conditions on which these appointments are held. It is sometimes said that the delay in issuing hill-shaded maps is due to the difficulty in finding a sufficient number of persons trained to do the hill shading. I do not agree with that. Another point I have to urge is that the convenience of the public would be greatly served if the three or four sheets which a person wishing to become acquainted with the topography of an important locality, such, for instance, as Manchester, Bradford, or Leeds, or any tourist district, is now in many cases compelled to procure, could be reduced to one by a photographic process. Another essential thing is that on every sheet the date of the publication and the date of the survey should invariably be put. It seems to me to be a matter of sheer honesty and of necessary information for the purchaser that these particulars should be given on a map published by the Government. There is only one other matter on which I think I must detain the Committee. In the two last Reports there has been a chapter repeated in identical terms on the utilisation of the survey. The Director General complains that though in Ireland the survey is recognised by Act of Parliament as of authority, it is not so recognised in England. If we go to the expense of making a survey, it ought to be recognised as of authority. The greater the authority attached to it the better will the work be done. I believe it is excellently done now; but my point is that the maps should be kept up to the mark continually. They should be useful maps of the country, as people know it and see it. I will not move the reduction of the Vote, because I want to see the money spent upon the survey increased by half as much again. I only commend these remarks to the attention of the Minister of Agriculture, and trust he will use his best exertions to signalise his advent to office by taking the requisite steps to secure thoroughly trustworthy maps.

(4.50.) SIR G. CAMPBELL (Kirkcaldy, &c.): I think we are under the greatest obligation to my hon. Friend for having brought this subject so clearly before the House. Accustomed as I am to countries more civilised in this respect, I am rather astonished that we have nothing better than this barbarous, out-of-date, military survey. In France and in most European countries they have the survey kept up to date. In India the surveys are incomparably ahead of the surveys in this country—so far ahead that is impossible to compare the two—and the shading is admirable. I have often been surprised at the perfection of the surveys, even of those portions of that vast country only reached by sportsmen or explorers. It is wonderful, but in my own country I find nothing of the kind. Here in one of the most cultivated and civilised places in the world we have nothing but the old survey. It is a disgrace to the country that we should not have decent maps. Coming from India, where I was accustomed to those complete surveys, and having some property to deal with, I wanted to make use of the maps, but I found I could obtain nothing to answer any purpose, and we were obliged to survey our own property. It is absolutely impossible to have a proper system of land registration or land transfer unless there is a proper system of land survey. I hope the Government will say that they are determined to correct the evils of the present system, and to have a survey which shall be complete and adequate.

*(4.55.) MR. HOBHOUSE (Somerset, E.): I happen to represent a part of the country which is extremely badly off in this respect. In the County of Somerset our 1in. survey is between 80 and 90 years old. The consequence is that the maps are practically useless, and there is this further aggravation—that in the greater part of that county the 6in. survey has been completed and published for some years. Surely it is not beyond the power of the Department to quicken the reduction of the 6in. survey into the 1in. The other day I asked a question with regard to the establishment of an office in London where these maps can be consulted by persons in the Public Service. It seems a pity when one wants to consult them that they have to be sent for from Southampton. I hope the right hon. Gentleman will now be able to give me some satisfactory assurances on this point.

*MR. BARTLEY (Islington, N.): I wish to endorse every word which has fallen from the hon. Gentleman opposite on this subject. The same complaints were made when I first had to do with this particular branch of the Public Service. I think the secret of the delay is to be found in the fact that the work is left in the hands of military officers under the present conditions. The Engineers are excellent for their proper purpose, but they remain only a short time at the work, and then they go to something else. The consequence is, the survey is not carried on as rapidly as it should be, for fresh officers have to learn the duties continually. It would pay much better as a commercial speculation if the work were pushed on with greater rapidity. Thirty years ago a Treasury Minute was issued that the survey then in progress should be completed with much greater rapidity, and an increase of the staff was agreed to, but I do not think that the increase of the staff has led to a proportionate increase in the rapidity of the survey. I think the time has come when the work should be put into the hands of a permanent staff, and that the maps should be continually revised and kept up to date.

*(5.0.) MR. MORTON (Peterborough): I quite agree that the survey ought to be made as complete as possible, and that we ought not to grudge any necessary expenditure. I, however, wish to receive some information with regard to the account before the Committee. I notice that the estimated expenditure this year is £215,770, exactly the same as that of last year. Although there are reductions, the expenditure in the two years is the same. Perhaps we may receive some explanation of this remarkable circumstance. Then, I should like the right hon. Gentleman to tell us why all these Major-Generals, Lieutenant-Colonels, and Majors are required in this service. I have never seen these gentlemen do any work: it is only the non-commissioned officers who do the

work, and I desire to know, therefore, why we are called upon to pay these Major-Generals, Lieutenant-Colonels, and Majors?

MR. MALLOCK (Devon, Torquay): My complaint is not that the country is not even never re-surveyed, but that when the survey has been made the maps are not published for a long time afterwards. Maps relating to some parts of Devonshire were published 30 years ago. They were revised some five or six or seven years since. I have tried two or three times to get the revised maps at Stanford's, and have always been told they are not yet published. It seems that if the heavy part of the work, namely, the survey, has been done, it is advisable the map should be published as soon as possible. The population of the particular part of Devonshire I am speaking of has increased enormously during the last 30 years, and it is clear there must have been great alteration in the towns of that district. It is very necessary, therefore, that the maps should be published at once.

*(5.3.) THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): I have listened with great interest and attention to the speeches made on this subject, more particularly that made by the hon. Gentleman (Mr. Roby), who introduced the question, and who evidently spoke after the most careful study of the subject. It is not very long since the Ordnance Survey has been placed under the control of the Department over which I have the honour to preside, but we have had some opportunity of gaining information on the subject. The hon. Gentleman appealed to me to take such action as may be in my power to give effect to the views he has laid before the Committee, and I am bound to admit there is great force in many of the hon. Member's statements, and I assure him there will be no lack of endeavour on my part to bring about such changes as may be desirable in the conduct of the Survey Department, and to effect some, if not all, of the improvements he desires. In the first place, let me notice some of the minor matters to which the hon. Member drew attention. He raised the question of the military element, which occupies so prominent a position in the Staff Department under which all these operations are conducted, and my hon. Friend and the hon. Member for Islington (Mr. Bartley) seemed to think that some of the deficiencies and shortcomings which are complained of are due more or less to the fact that there is so large a military element in the staff of the Department. With all respect to the hon. Gentlemen, I must say I hold an exactly opposite opinion. From the inquiries I have been able to make, and from personal inspection of the Department, I am convinced that it is not possible that any Department could be more admirably conducted than the Ordnance Survey is at present, considering the means at its disposal, and I attribute this, whether rightly or wrongly, very largely to the large employment of the military element.

*MR. BARTLEY: I should not like to be misunderstood. I did not object to the military element as a military element. I took exception to the system of temporary employment—five years—under which the men are constantly changed, and to which I thought was, to a great extent, to be attributed the slow progress which was made with the work.

*MR. CHAPLIN: So far as I am aware the changes are not so frequent as the hon. Member seems to imagine, and if there is a deficiency at all in the work I am afraid it must be traced to the deficiency of funds at the disposal of the Department. The hon. Member for Eccles went on to ask for a reduction of the size of the maps for the convenience of travellers and others.

*MR. ROBY: What I asked for was such a reduction from three or four maps as might make one convenient map.

MR. CHAPLIN: I did not quite gather that.

*MR. ROBY: I do not want a smaller scale than the 1-inch. Take the case of Leeds and the district around. Instead of having a map with Leeds in the south west corner, and three other maps with the district around, I should like one map of convenient size, with Leeds in the middle.

*MR. CHAPLIN: I thank the hon. Gentleman for the correction. I am not aware of any reason why what he suggests should not be carried out. I cannot pledge myself that it shall be done, but, at all events, I can promise that the matter shall receive my careful consideration. Then he suggested that on every map that was newly published the date of publication should be printed.

*MR. ROBY: And the date of the survey.

*MR. CHAPLIN: Yes; well there again I cannot give a pledge on the subject; but I see, myself, no objection to the proposal. Now I come to the question of the utilisation of the maps of the Ordnance Survey. No doubt, we are all agreed that an enormous amount of money has been spent in the production of the maps which are issued by the Ordnance Survey Department, which production has now extended over a great number of years. It is eminently desirable that those maps should be brought into the widest use. I am of opinion that probably this might be brought about by a re-consideration of the mode in which the maps are sold at the present time. I do not wish to convey to the House that I have formed a final or decided opinion on the subject, but it is a matter which is receiving the most careful attention of the Department, and in that direction I myself look for the wider circulation and use of these maps than could be obtained in any other direction. The hon. Member for East Somerset (Mr. Hobhouse) asked whether it was not possible that some convenient place might be found in London where Ordnance Survey maps might be deposited and where they would be available for the inspection, either of the general public or the officials of Public Departments. I hope to be able to make a satisfactory arrangement of that kind, and within a very short period. I may inform the Committee that some extension of the offices of the Board of Agriculture is being arranged, the present accommodation being very insufficient, and as soon as some portion of the Department is enabled to be moved into the new building I see my way at once to the establishment of a place where the maps will be open to public inspection, in a way which I hope will fully meet the views of the hon. Member. As to the more important questions raised by the hon. Member in the speech with which he opened this discussion, I wish, in the first place, to make some few observations with regard to the revision of maps. I may, perhaps, state what is the work on which the Ordnance Survey Department is engaged at the present moment. We are now surveying Lancashire and Yorkshire on the 25-inch scale, all the various towns in Lancashire and Yorkshire on the 10-feet scale, Ireland on the 25-inch scale, the new parts of London on the 5-feet scale, whilst maps are being made of the new parts of Plymouth on the 10-feet scale. I do not think the Committee, considering the amount of the Estimates, will be of opinion that full value is being received for the money which is being expended.

SIR G. CAMPBELL: Will the right hon. Gentleman say what is being done in Scotland?

*MR. CHAPLIN: I will deal with that presently. Everybody must admit that it is very desirable that the Ordnance Survey maps, on which so much money has been expended, should be revised at such intervals as will make them of real use. At present many of the maps have gone for a much longer period than the 15 years which it is considered ought to be the limit without revision. That, of course, destroys to a large extent the use of these maps. On the other hand, I have to draw the attention of the Committee to this somewhat serious consideration, that it would cost an extremely large amount to bring about a complete revision within a comparatively small number of years. We are at present spending £215,000 a year, but to complete a system of revision under which no survey should be more than 15 years old, would mean a very large expenditure. It has been estimated that if we were to do this and complete it within the next 10 years, it would involve an addition to the Estimates of at least £55,000 a year. I do not say it would be necessary or desirable, in the first instance, to spend so large an additional sum as that, because it takes a long time to obtain the necessary staff; and it would be impossible within two or three years to

obtain a sufficient and effective staff to deal with so large an addition with advantage. A good deal might, I think, be done by a much smaller outlay than that to begin with. To carry out a system such as that pointed out by the hon. Member, and which would ensure that for the future, at the expiration of a period of 10 years, the survey should not go on longer than 15 years without revision, would involve an expenditure of something like £500,000. No doubt it would be extremely advantageous that this should be done. But if the whole is impossible, I think something might be done on a somewhat smaller scale. At any rate, the hon. Member may rely on it that the matter is receiving my attention, and, as far as it is in my power to bring about adequate improvements, I shall be glad to do all I can on the question. Coming to the next point, the statements of the hon. Member with regard to the 1-inch maps, which are deficient in hill shading, are perfectly correct. It is contemplated that the 1-inch map of Scotland will be completed in 1893, and that of Ireland in 1894; but it is perfectly true that in England it is not in contemplation that they will be completed until the year 1925. It is, however, I think, exceedingly desirable that there should be one uniform topographical map prepared before a period so distant as 1925, and I do think the work might be expedited without any great or serious cost. I am informed that by a proposal now under my consideration, and by the aid of the modern invention of photo-zincography, maps of this description might be completed by the year 1900. I have myself seen specimens of the work done by means of this particular invention, and the results appear to be excellent, and I hope, as I think, that by this means it may be possible to meet the views of the hon. Member upon this point. I have now only to deal with the observations made by the hon. Member for Peterborough (Mr. Morton). He dealt rather with the details of the Estimates than with the general questions raised by the hon. Member who opened the Debate. The hon. Member expressed some surprise that the Estimate for this year was precisely the same as that for last year. He seemed to imagine that because we have a certain sum at our disposal we think it necessary to spend it. I can assure the hon. Member that is very far from being the case, and the only complaint I have heard made on the part of the Department is that we have not as much money as we should like.

*Sir C. PALMER (Durham, Jarrow): May I ask whether the Royal Engineers engaged in Ordnance Survey are subject to five years' service or not?

Mr. CHAPLIN: I am very sorry that I am insufficiently informed on this point, to say positively whether that is so or not. A question was asked as to why there was a decrease in the military element and an increase in the civil element. The reduction in the military element is due to a re-arrangement of duties. The increase in the Estimates for the civil part of the Department is accounted for in this way: The increase is an increase of necessary expenditure, which has for several years exceeded the amounts in the Estimates. I hope the explanation I have given may be satisfactory.

*(5.28.) Mr. SHAW LEFEVRE (Bradford, Central): The statement made by the right hon. Gentleman, as far as he is personally concerned, is a very satisfactory one; but, unfortunately, the matter does not rest with him alone. It rests largely with the Treasury. My hon. Friend (Mr. Roby) pointed out that the Chancellor of the Exchequer is practically mainly responsible for the expenditure under this Vote. The right hon. Gentleman has stated that he has not as much money to spend on the matter as he could wish. This subject has been for many years under the consideration of the House. The right hon. Gentleman has referred to what took place in 1882, when I was myself responsible in this House for the Ordnance Survey Department. In that year, in response to the great pressure put on the Government by this House, there was a very large increase in the Vote for the Survey Department, with the view of accelerating the survey, and completing the 25-inch maps within reasonable time. No less an addition was made to the Vote than £60,000. The Vote was increased from £184,000 in 1882-3 to £243,000 in 1883-4. In the following year it was further increased to £247,000, and in 1886-7 to £249,000. I find on referring

to *Hansard* that I stated that this great increase was agreed to by the Government with the express object and intention of completing the 25-inch survey by the year 1890. There can be no doubt whatever that if expenditure had been continued at that rate, we should have seen this important branch of the work completed by 1890. But as the right hon. Gentleman says, the 25-inch maps for Lancashire and Yorkshire are not completed, and a large area of Scotland, six counties, which, I think, embrace nearly half the entire area of the country, are undealt with in this way, and very little has been done in Ireland. What, I would ask, is the reason for this delay in the 25-inch maps, which in 1882-3 were promised should be completed in 1890? It is perfectly obvious, if you look at the Votes, how it is that the promise made in 1883 has not been fulfilled. Between 1887 and the present time there has been a reduction in the annual Vote of £30,000 a year. In 1887-8 there was a reduction on the preceding year for the Survey Vote of £20,000, and in 1889-90 there was a further reduction of £10,000, and I think that affords a sufficient explanation of the delay in the completion of the 25-inch survey. Such an economy effected by the retardation of this work is, I think, unfortunate, for, as my hon. Friend behind me has said, when work of this kind is undertaken the sooner it is completed the better, and I do not think it is a wise economy to make such a reduction and retard the work. I hope the right hon. Gentleman at the head of the Agricultural Department will use his influence with the Treasury to obtain an acceleration with a view to the completion of the work so far as the 25-inch scale is concerned, and if it is necessary I hope an increased Vote will be asked for the purpose. Then again, my hon. Friend behind me has called attention to the fact that the smaller hill shaded maps will not be completed until 1895, but again I say when once the series was begun it should have been pushed on with all possible rapidity, and this could have been done had the 25-inch scale maps been completed according to the original undertaking. It is a question of present expenditure, and I suppose the Treasury are responsible for the delay, and it has been their desire to reduce the Estimates by economy in this branch of the Service.

*(5.35.) MR. BUCHANAN (Edinburgh, W.): I should like to get some information in reference to the non-completion of the counties of Scotland on the 25-inch scale, and I can supplement what the right hon. Gentleman the Member for Bradford has said by a further piece of information. During the past 10 years it has always been a complaint that the metropolitan counties of Scotland have not been surveyed on the 25-inch scale. Experience has shown that this is the best scale on which a survey can be conducted. About the year 1886-7 the survey office in the Post Office Buildings, Edinburgh, was closed, and the staff were transferred to the North of England. Complaint was made at the time that the staff should be removed before the survey was completed, but we were told that work in the North of England was urgent, but that when this was completed the work for the home counties of Scotland would be taken in hand and completed. This, however, has not yet been done, and I hope that now the Survey Department is under a new authority the right hon. Gentleman (Mr. Chaplin) will apply the necessary pressure to have this work completed. I think it is a reflection upon the administration of affairs in this country that the 1-inch survey with hill shadings should not be completed until 1925. We are behind all the countries of the Continent and of the United States in this respect, and I would urge that by a more liberal annual grant we should put ourselves on a par with foreign States in this respect. On this subject, too, I would mention another point more than once raised in this House, and I think by Lord Balfour of Burleigh in "another place." In Austria, Italy, Switzerland, and I think in the United States, the survey includes not only the geographical contour and the lines of hills, but also of the sheets of water and their varying depths. This has been done with the lakes of Italy and Switzerland, and it has been often urged by scientific authorities that it would be of value in describing the configuration of the country that soundings should be taken

of sheets of water in the United Kingdom. A survey was made by naval officers of Loch Lomond and Loch Awe in the early part of the century, and there were soundings made in the locks on the Caledonian Canal, but these soundings were not undertaken upon any system, and the Royal Societies of London and Edinburgh have often recommended that such soundings should be included in a complete survey. I hope this will be taken into consideration, for I am sure the reliable data thus acquired would, from a scientific point of view, amply repay the expenditure.

*General Sir F. FITZWYGRAM (Hants, Fareham): Complaints have frequently been made, and are I think well founded, that publication of maps is so long delayed that in many cases the map is obsolete when it is issued. I certainly know such an instance in regard to Hampshire. I forget in what year the survey was completed, but I know that a road the construction of which was completed three years before the map was published, yet was not marked upon the map, that is to say, the map was three years old before it was brought out. Therefore I would urge that the publication should follow as quickly as possible after the survey is completed, that the public may have the advantage of really reliable information.

(5.44.) Sir G. CAMPBELL: I can confirm what has been said by the hon. Member for West Edinburgh (Mr. Buchanan) in reference to the Scotch counties; and in regard to the general question, I think it must be admitted we require a radical change in the system. For my part, I cannot say if this amount of £216,000 is economically administered or not, but I am quite sure that if by the expenditure of another £50,000 we can get a better system, we ought to have it, especially if, as we have been told by the right hon. Gentleman (Mr. Shaw Lefevre), there has been a reduction of £30,000 a year from the sum formerly allocated to the Department. I have a suspicion that it may not be altogether a question of money; the mode of publishing and other circumstances lead me to fear that the Survey Department proceed on stereotyped and antiquated lines; that it is not a progressive establishment permitting and promoting reform. I should like to know something more of the *personnel* of the establishment. The right hon. Gentleman tells us he has visited the Survey Office, and is convinced that the military character of that establishment is a great advantage. I can quite understand his feeling. In official life in India I have worked a great deal with Engineer officers, and I found they did admirable work. I desire to speak of the corps with the greatest respect; but I have grave doubts, founded on my experience, whether the work, which is more of a civil than a military character, can be effectively done by military officers liable to constant change. The right hon. Gentleman is not, I think, quite aware of the rules, but I know that in India there were complaints that while Majors and Colonels were receiving appointments in the Department most of the work was being done by civilians, and you cannot get good civilian work unless civilians have prospects of promotion in the Department. The heads of the Department appear to be purely military, and I gather from the Estimate submitted that the civil element is entirely subordinate. Civil assistants to the number of 1,600 receive £143,000—an average of £90 a year—and that seems to imply that they only fill the inferior positions. Perhaps the right hon. Gentleman can give us some information as to what prospect these civilians have of promotion.

*(5.50.) Mr. CHAPLIN: In reply to the questions of the hon. Member for Kirkcaldy, it is undoubtedly the case that the military element does form the basis and foundation of the staff of the Ordnance Survey Department. With regard to the questions asked in reference to the Scotch counties, I have to say that while we think Scotland has been fairly well treated in this matter, we do consider ourselves pledged, as soon as the Lancashire and Yorkshire maps on the 25-inch scale are completed, at once to proceed with and complete the Scotch counties upon that scale. I may remind the Committee of what has already been done in Scotland. The maps on the scale of 25-inch to the mile are complete for 28 counties in Scotland; and the 6-inch map has been completed for the whole of Scotland. The new 1-inch map for the whole of Scotland has been completed,

and on this 28,000 acres out of 30,902 acres have been hill-shaded. On the whole, while I respect the zeal Scotch Members display in the interest of their country, I think they will admit that Scotland has been in no way neglected.

MR. SHAW LEFEVRE: As the Secretary to the Treasury is now in his place, I think I am entitled to ask him why the expenditure on the survey has been so largely reduced during the last four or five years? As I pointed out a few minutes ago, a large increase was undertaken in the year 1882-3, with the object of completing the 25-inch scale survey by 1890. On referring to *Hansard* I find that the increase of expenditure by £60,000 was agreed to on the express understanding that the survey should be completed in 1890, and had the expenditure been maintained there is little doubt the work would have been completed. Yet while a very considerable portion of Scotland remains unsurveyed, a reduction of £20,000 was made in 1887, and a further reduction of £10,000 in 1889-90. Nobody can object to economy in this or any other branch of the Public Service, but it can scarcely be called economy when useful work is thus delayed in spite of the assurance given in 1882.

*(5.55.) THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): Although I am not acquainted with the circumstances under which the promise was made in 1882, I imagine that what was then said referred to the cadastral survey being carried on at that time, and which it was contemplated would be completed in 1890. As work became completed expenditure naturally fell off. So much has this been the case that a large number of those employed on the survey have been transferred to Ireland, in order that the work there might be proceeded with more quickly. There has been no reduction made with the idea of stinting the work, and there has been an increase of expenditure on the work of revision, which has been taken in hand more actively.

MR. SHAW LEFEVRE: Still, the fact remains that work which it was said would be completed in 1890 remains in 1891 uncompleted.

*MR. RORY: The Director General states that the total area of Scotland, published on the 25-inch scale, amounts to 12,687 square miles, and that is not half the area of Scotland. I must say that it is no answer to a complaint to assert that the survey has been completed if the results of the work have not been published. The survey is of no use to the public unless the maps are accessible. Not half of Scotland has been published, and very little of Ireland, on the large scale. It is possible and reasonable that the survey should be completed in a shorter time, and I hope that persistent pressure will be put upon the Treasury to that end. I am informed on good authority that the whole survey of Austro-Hungary was completed in 11 years. If that is done in 11 years—and the Treasury say 15 years ought to be enough for revision—I sincerely trust that steps will be taken to carry it out. I hope that a strong step will be taken to insure that we have practical, usable, living documents in our hands, representing the work of the Ordnance Survey. It seems to me that maps based on surveys 20, 30, or 50 years old may be suitable for antiquarian documents, but are not suitable for present practical purposes.

*(6.2.) MR. MORTON: As long as the money is spent economically I am willing that it should be spent. I thank the right hon. Gentleman the President of the Board of Agriculture for what he has said, and for his courtesy. Will he allow me to say that I think he has been better occupied here this afternoon than he would have been if at the Oaks.

Vote agreed to.

2. £16,596, to complete the sum for harbours in the United Kingdom and lighthouses abroad under the Board of Trade.

SIR G. CAMPBELL: I think some explanation is due to the House in regard to this Vote. I find that almost all round there has been an increase of expenditure. The expenditure on Dover harbour has increased from £3,000 last year to £4,100 this year; the expenditure on Holyhead harbour has increased from £10,000 last year to £30,000 this year. In like manner there have been increases in connection with the other harbours mentioned in the Vote. We

have had no explanation of these increases, and I think we are entitled to ask for one.

*(6.4.) MR. JACKSON: The explanation is very simple. In regard to Dover harbour the Admiralty Pier belongs to the Government. The ways on the pier have from time to time to be improved, and this year there is to be a very large improvement effected. As to Holyhead harbour, it has been decided to expend £7,000 this year on improvements, because during the recent severe storms there have been difficulties experienced in bringing up steamers to the pier in consequence of its exposed condition. These improvements have been pressed upon us for some time, and it has been thought desirable to proceed with them this year. In addition to this expenditure, there is to be a further outlay of £2,500 to make a new landing for small boats. It is a curious fact that, magnificent as the harbour is, there is no place where a boat can land.

SIR G. CAMPBELL: What is the reason of the increase for Flamborough Head?

*MR. JACKSON: We have had a ship at the Bahamas which is old and practically worn out. It is a question whether we should build a new one or hire one, and whilst the matter remains undecided it has been resolved to hire a vessel at a cost of £1,000.

*MR. MORTON: Are the works at Dover and Holyhead to be put out to tender?

*MR. JACKSON: Yes.

Vote agreed to.

3. £25,040, for Peterhead harbour.

(6.8.) SIR G. CAMPBELL: As this is a very large item, I think we have a right to ask what is being done. The total amount to be expended on the harbour is £785,000, of which £140,000 has been spent, leaving over £600,000 to be spent. If the money is only provided at the rate of £30,000 a year it will take 20 years to complete the harbour. How is the work to be conducted? Do the Government contemplate spreading it over 30 years? I should like to have some explanation of this point.

Sir G. Campbell

*MR. JACKSON: The hon. Member forgets that Peterhead harbour is rather an undertaking for the purpose of providing work for convicts than for the purpose of providing a harbour. The work done, so far, has been mainly preliminary, and there are at present some 200 or 250 convicts employed upon it. It is necessary, in the interest of the men themselves, that some work should be provided for them. There has been no complaint of the manner in which the work has been done. The engineers have been instructed to report from time to time, showing the amount of work done.

Vote agreed to.

4. £3,000, to complete the sum for Caledonian Canal.

5. £140,173, to complete the sum for Rates on Government Property.

CLASS II.

Motion made, and Question proposed,

"That a sum, not exceeding £26,719, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Officers of the House of Lords."

*(6.11.) MR. MORTON: I desire to move the reduction of this Vote by the sum of £20,000. It appears to me that, so far as business is concerned, the House of Lords does not do much for this money. I do not want to raise the question of the necessity of a House of Lords, or of a Second Chamber, but I find that the annual expenditure on the House of Lords is £42,000, while that of the House of Commons is only £49,000, or £7,000 or £8,000 more. Bearing in mind that this House has about 10 times as much work to do as the House of Lords, I think there ought to be a greater difference in the cost. I am aware that there are other charges in connection with the House of Lords. There are further sums to be provided against, against which there are fees to be put, so that they have nothing to do with the question of emoluments. With regard to these officers in the House of Lords, it is plain that some of them are overpaid. I find that the Chairman of Committees gets £2,500 a year, or exactly the same amount as the Chair-

man of Committees in this House, and, seeing the difference in the amount of work that these officials have to do, it does not appear to me that it should be necessary to pay such a sum as £2,500 to the Chairman of Committees in the House of Lords. Then I find that the Clerk of the Parliaments in the House of Lords gets £2,500, and an allowance for a house of £500, the Assistant Clerk gets £1,500, the Chief Clerk £1,200, and the Reading Clerk £1,200, and so on. I confess I cannot see the good of all these officers. I look into the House of Lords now and then to see what they are doing, and I cannot find that they ever do much. Two or three hours work two or three days a week is all they have to do. It is all very well to say that we ought to keep these people going; but if they want to be relieved out of the taxation of the country, they should find some better way of bringing it about than getting themselves put into offices where there is no apparent work to do. The House of Lords have been considering whether they cannot reduce the cost of this Department, and they have done so to some small extent—by getting rid of a few housemaids I believe. What they want housemaids, there at all for I do not know. They intend to reduce the salaries of some of the officials as vacancies arise, but it seems to me that it is their duty to do away with a number of these offices altogether. A claim has been made that we do not pay for our officers in the House of Commons enough; but, so long as we have to pay for work which is not done in the House of Lords, of course we cannot afford to pay more for the work of the officers of the House of Commons. Mr. Cobden used to say that if you want to reduce the expenses of a Department, the proper way to do it is to reduce them by a round sum, and insist on the Department getting on with the reduced Vote. My proposal, therefore, is to reduce this Vote by a round sum. If it is reduced by £20,000, the House of Lords will still have £22,000 left, and that I consider quite sufficient. I do not suppose I shall be likely to carry this Amendment to-day; but I do trust that somebody will give us an explanation why there should be this excessive charge for the officers of the House of Lords. I should also like the Government, if they can, to give the country some assurance that this excessive cost is going to be reduced in some reasonable time. It is in the vain hope of eliciting some explanation that I move the reduction.

Motion made, and Question proposed, "That a sum, not exceeding £6,719, be granted for the said Service."—(*Mr. Morton.*)

*(6.18.) MR. JACKSON: I do not think it is necessary for me to say much in answer to the hon. Member. He will no doubt recognise, at all events, that during the last two or three years a real attempt has been made to save all unnecessary expenditure in connection with both this House and the House of Lords. There has, indeed, been a thorough overhauling of the expenditure, and I do not think that the operation could have been more efficiently carried out, even if the hon. Member had done it himself. The hon. Member has made a comparison between certain salaries in the House of Lords and certain salaries in the House of Commons. It is not fair to do that, as the conditions are dissimilar.

SIR G. CAMPBELL: It is obvious, taking into consideration the work of the two Houses, and the small difference there is in the amount of their expenses respectively, that the expenses of the House of Lords are a great deal too high. The argument in support of the existing condition of things is that we owe a certain courtesy to the House of Lords, and that we are bound not to reduce their establishments too suddenly and rudely. The Secretary to the Treasury has spoken of an overhauling of the expenditure in both Houses, and I should like to know whether there has been any reduction in the expenses of the House of Lords, or whether there is any prospect of a reduction? So far as I can make out, the Vote for the House of Lords has only been reduced by £474, or about 1 per cent., whilst that for the House of Commons has been reduced £951, or about 2 per cent. I think we ought to know that the reduction is going on in the House of Lords with some celerity, and that there is every hope that before long the ex-

penditure will be brought within reasonable limits.

(6.23.) DR. CLARK (Caithness): I quite agree that there has been a thorough inquiry into the expenditure of the Houses of Parliament by a Departmental Committee, and that the Committee has made radical changes in the matter. Large salaries are, of course, still paid to old officials, but when new appointments arise there will, no doubt, be reductions. I do not think we can go farther in that direction. A point to which I wish to draw the attention of the Committee in regard to this matter is that the fees charged by the House of Lords are a very great grievance. They fall very heavily upon those who bring in small Private Bills, such as relate to piers, harbours, tramways, and waterworks. I hope some means will be found of reducing the amount of the fees, which at present are simply preposterous, and amount, I find, to £2,000 more this year than last year. There ought to be one uniform scale of fees for unopposed Bills, and another for Bills that are opposed. The cost of getting a Bill through is sometimes 25 per cent. of the total sum the promoters wish to spend on their undertaking.

*MR. LENG (Dundee): On the question of fees, I must say I am one of those who do not object to men who discharge responsible duties being adequately paid. I should not grudge a sufficient remuneration to the Clerks of Parliament, but it does seem to me objectionable that while they are well paid for the duties they perform, new charges should be continually imposed in the way of fees. I directed attention yesterday in a question to a charge recently imposed for the first time for certified copies of the Companies' Acts. Hitherto it has been possible to obtain these from the Queen's Printers, but it seems that now you must have a special certificate to an Act, and one Act costs £1 1s., while to obtain certificates to a set of the Companies' Acts costs £25.

*(6.28.) MR. JACKSON: All I can say to that is, that, as hon. Gentlemen are aware, the Clerks have no interest in the fees, which go into the public Exchequer. It has always been customary, I believe, to make a charge for these Acts. The hon. Member for Caithness said the House of Lords' fees are £2,000 more than they were last year. That is not owing to any increase in the amount of the fees, but to an increased number of Bills.

DR. CLARK: Will the right hon. Gentleman consider the question of modifying the Standing Orders? By the present system you are absolutely preventing a large number of private works being carried out.

*MR. MORTON: I am not satisfied with the explanation of the right hon. Gentleman. It is absurd on the face of it to pay the officials of the House of Lords almost as much as the officials of the House of Commons, without regard to the fact that they do not do one-tenth the amount of work. It is ridiculous to let it go forth to the world that we, as business men, allow such a state of things as that to exist. I want the Government to give us an assurance that some inquiry into the matter will take place. I appeal to them upon it as a matter of principle. I do not ask them only to reduce the salary of an office on the death of its present occupant, but to abolish offices altogether where they are not needed. I want to know whether any gentlemen opposite justifies these charges? [*Cries of* "Oh!"] Such cries are no argument, and if that is all hon. Gentlemen opposite can do, the sooner their constituents send someone else the better. I am ready to take a Division upon this question, and I only sat down to allow the Minister time to make some explanation of these charges in the House of Lords.

MR. ESSLEMONT (Aberdeen, E.): I would suggest to my hon. Friend that it would be better, instead of moving a general reduction, to move the reduction of some particular item, and we would then be in a position to give him our support. I agree that a reduction of these charges in the House of Lords ought to be brought about in the interests of those who are called upon to promote Private Bill legislation.

*MR. MORTON: In proposing a general reduction, I was endeavouring to avoid mention of any particular office. I moved the reduction as a matter of

general principle, believing that the reduced sum ought to be sufficient for carrying on the business of the House of Lords.

(6.35.) DR. TANNER (Cork Co., Mid): I would suggest to my hon. Friend that, instead of moving a general reduction to the Vote, he might move, or I will move, the reduction of the Vote for the Chairman of Committees in the House of Lords by the amount of the salary of his Counsel. There is a crowd of Law Lords in the Upper House, and I cannot see the necessity for paying an exorbitant salary to an official who enjoys a perfect sinecure. That the Chairman of Committees in the House of Lords should have a Counsel is perfectly absurd; and I think we should begin by docking his salary and other salaries, and finally the House of Lords itself—a course which would be just to the taxpayers and beneficial to the country at large. I beg to move the reduction of the Vote by £500.

THE CHAIRMAN: It is not competent for the hon. Member to move the reduction until the item is reached.

Question put, and negatived.

Original Question again proposed.

(6.40.) DR. CLARK: I should like to call attention to a very serious grievance in reference to the charges in the House of Lords in respect of Private Bill legislation. The charges in the House of Lords are much higher than in the House of Commons. In the House of Commons you only pay £5 on the deposit of a Bill, £5 for each day it is before the Examiners under Standing Order, £5 for presentation, £15 for First Reading, £15 Second, and £15 for Third Reading, and £15 for Committee, so that the whole cost of a Private Bill Committee in the House of Commons is £75. If the amount involved in the Bill is above £100,000, these charges are doubled. Now, in the House of Lords the cost of the Second Reading alone is £81, which is more than the entire cost in the House of Commons. The only Bills which get through cheaply in the House of Lords are Divorce, Naturalization, and Change of Name Bills, each of which costs £27. These charges in the House of Lords fall heavily upon the promoters of Private Bills, and I think we ought to have some explanation of why these exorbitant fees are charged.

Motion made, and Question proposed, "That a sum, not exceeding £26,619, be granted for the said Service."—(*Dr. Clark.*)

*(6.45.) MR. JACKSON: I think the hon. Member must be wrong. I have not got the particulars of the charges in the House of Lords, but I find the total amount of them is the same as that in the House of Commons, a circumstance which would seem to indicate that though the manner of imposing the charges in the House of Lords may be different, yet their aggregate amount is the same as that of the charges in the House of Commons. If, however, there be any discrepancy—and I fail to see how there can be, in view of the fact that the total of the amounts are the same—I will look into the matter, though I cannot promise that the question of the fees is a matter that must be re-considered.

It being ten minutes to Seven of the clock, the Chairman left the Chair to make his report to the House.

Resolutions to be reported upon Monday next.

Committee also report Progress; to sit again to-morrow.

SUPPLY—REPORT.

Resolution [28th May] reported.

CIVIL SERVICE ESTIMATES.

CLASS VII.

"That a sum, not exceeding £47,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for Expenditure upon certain Public Works, and for improved Communications, within the Highlands and Islands of Scotland."

*(6.52.) MR. FRASER-MACKINTOSH (Invernessshire): Holding this Vote as an instalment of the policy of Government in the development of certain exceptionally scheduled districts in the West Highlands and Islands, I have to thank the Government on behalf of my constituents for having adopted the present attitude, and for their determination in pushing the matter forward.

DR. CLARK: I do not think the Government are doing anything which is specially deserving of the gratitude expressed by my hon. Friend. Some time ago we were told by the right hon. Gentleman the Member for West Birmingham that, whereas about a century back roads were required in the Highlands, tramways and railways are now wanted. The Government have been negotiating in some Scotch railways, and now that the First Lord is in his place, I would like to have some information as to what the Government proposals are. You are developing the county of which my hon. Friend (Mr. Fraser-Mackintosh) is a representative, and a new railway is to be constructed there. I would like to know from the First Lord of the Treasury what is the position of these negotiations, and whether it is the intention of the Government to subsidise one of the railways down to the coast? There are five railways touching the neighbourhood, and the Government have, I learn, been in communication with the Highland, the North British, and the Great North of Scotland Companies. I wish to ask whether it is a fact that the Highland Railway Company have refused to undertake the work, that, on that refusal, terms were made with the Great North of Scotland, which agreed to go on, and were going on, with the work, and that the Highland Railway have subsequently endeavoured to prevent the contract being carried through?

*MR. JACKSON: The negotiations are still in progress, but it is undesirable under the circumstances to state at this moment what the nature of them is. Generally, however, it may be taken that the means of connections between the mainland and the Highlands and Islands are being promoted as quickly as possible, and that certain suggestions which have been made will be adopted.

Resolution agreed to.

BEHRING SEA SEAL FISHERY BILL.

(6.57.) MR. BRYCE (Aberdeen, S.): I wish to ask the First Lord of the Treasury whether he can, before Monday, lay on the Table any further Papers connected with the Behring Sea seal fishery dispute, showing the present position of the question?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): If we have the consent of the United States Government, which we have asked for by telegraph, those Papers will be presented and circulated, I hope, on Monday, but if not circulated they will be in the Vote Office before the Bill is taken. The Bill will, I hope, be circulated to-morrow.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL, 1891.

Copy ordered—

"Of Return relating to all Holdings in Ireland classified according to Valuation—(1.) Over £50; (2.) £50 and under; with Estimates as to the Allocation of the Capitalised Value of the Guarantee Fund for Purchase, on the assumption stated within."—(*Mr. Attorney General for Ireland.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 260.]

EVENING SITTING.

ORDERS OF THE DAY.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

NOTE: Mr. ATHERLEY JONES had upon the Paper the following notice:—To move—

"That an humble Address be presented to Her Majesty, praying that She may be pleased to appoint a Royal Commission for the purpose of inquiring how far the Judicature Acts have contributed to the more speedy, efficient, and economical administration of justice, and in what respects an Amendment thereof is desirable."

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,—

The House was adjourned at five minutes after Nine o'clock till Monday next.

HOUSE OF LORDS,

Monday, 1st June, 1891.

After the transaction of Private Business,

House adjourned at twenty-five minutes before Five o'clock, till To-morrow, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Monday, 1st June, 1891.

PRIVATE BUSINESS.

PILOTAGE PROVISIONAL ORDERS (No. 1) BILL—*(by Order.)*

SECOND READING.

Motion made, and Question proposed, "That the Bill be now read a second time."

*(3.5.) MR. LLEWELLYN (Somerset, N.): I beg to move, "That the Bill be read a second time upon this day three months." I take this step with regret, as the Bill at first sight appears to relate to local matters; but beyond, there is a question of very great importance involved which has already attracted the attention of several Governments, and which one Government after another has failed to legislate upon. With regard to the local aspect of the question, I should like to point out that the Bill seeks to restrict the area within which the Bristol pilots may exercise their calling. Hitherto the limit has been Lundy Island, a distance of 75 miles. The new limit is to be the Holms, 14 miles. At the present time there are about 35 fully licensed Bristol pilots. These men have passed through their apprenticeship and are fully qualified; but in addition there are apprentices, and others who having passed through their apprenticeship are waiting their turn to become pilots. The Bill proposes a reduction of about two-thirds of the area in which these pilots may ply their calling. This will be simply disastrous to them, as it will bring them into active competition with the pilots of the port of Cardiff who number 160 men. The Bristol pilots complain loudly of this Bill, and their complaints are not unreasonable. They say that they are perfectly willing to agree to the restricted area imposed by the Bill, provided the necessity is shown, but they also say that no Local Authority has a right to destroy the living of a class of men without showing them some consideration and granting them compensation for their loss. It will be urged that the high pilotage dues have affected the trade of Bristol. I will not say that any decline in the trade is due to mismanagement on the part of the authorities of Bristol, but I do say that they have no right to make these pilots who have been serving the post for many years suffer for their own want of management. The pilots have always performed their share of the contract they entered into with the Corporation of Bristol. They have to be at sea in all weathers, to run every risk, and at all times of the year keep the sea, as far down as Lundy. They have performed their share of the duties well, and I have never heard a single complaint against them. On the contrary, I have heard great praise given them for the manner in which they perform their duties. Many of the ships coming to Bristol carry their own pilots in the masters or mates on board, and in fine weather these ships take no notice of the Bristol pilot, but are piloted into port by their own masters and mates. In foul weather, however, they act differently; these masters and mates will not take the responsibility of piloting their ships up the difficult channel, and they then take a pilot on board. They will not run the risk of getting their vessels aground, so they put the risk on the certificated pilot. Any hon. Member who has been at Bristol and has stood on the Clifton Suspension Bridge at low water, will have some idea of the difficulty of piloting ships up that river. Yet the Bristol pilots are constantly doing that and, considering the difficulty of their task, they make very few mistakes. Sometimes they spend weeks cruising about outside without earning anything. Last week one man returned home after three weeks knocking about in the Bristol Channel

without earning anything at all, while another man was five weeks at sea without earning anything. It is a hard life that these men are called upon to lead, and yet they must do the work. If compulsory pilotage is done away with, not only will ships and cargoes be endangered, but human life as well. When this Bill was first spoken of not one word was said about the reduction of rates; yet, now, not only are the rates to be reduced, but the Bristol men will have to suffer from the competition of the men from Cardiff. It has been put forward in some quarters that under this Bill the rates will be increased. Why should pilots oppose this Bill if the rates are to be increased and their position bettered? It is not the fact that the rates are to be increased, for what right have the Corporation of Bristol to increase them if the trade is decreasing, as alleged? The pilots have not applied even for an increase. In order to show that the rates will not be increased I will quote from the Bill the scale of pilotage rates, showing that on vessels over 1,000 and under 1,100 tons the scale is reduced from £12 15s. to £5 0s. 6d. On vessels over 1,100 and under 1,200 tons there is a reduction of £7 7s. 3d., and on vessels over 1,200 and under 1,300 tons the reduction is from £12 15s. to £5 15s., a loss of £7. In fact, all along the line there is a reduction, beginning at vessels of 100 tons, on which the rate is reduced from £3 13s. to £1 3s. 3d. That will show whether the rate is increased or not under the Bill. The House will probably hear something about the scheme of compensation that is promised to the men. There is a sum of £8,000 which has been applied for about 60 years to the superannuation of pilots and to no other purpose. The proposed scheme is to do away with that capital sum, and with it to grant annuities of £30 a year. The men do not want that; they want to go on with their occupation, and they do not want this fund to be exhausted, but to remain in the hands of the Corporation for their benefit as heretofore. I hold in my hand a Petition from the inhabitants of the village of Pill, which the forms of the House do not enable me to present. The petitioners pray the House to reject the Bill, knowing as they do that the passing of the measure will mean absolute ruin to them, for they would be entirely at the mercy of the Corporation of Bristol. This is a little Bill, but behind it there is a great question—a question which more than one Government have shirked or declined to touch, namely, the abolition of compulsory pilotage. If passed, this Provisional Order will have the same effect as a public Act, and it will be followed by Provisional Orders from other places. At this moment Swansea has a Provisional Order to do away with compulsory pilotage awaiting the passing of this. I ask the House if it is now going to do away with a system which Government after Government and Committee after Committee have declined to touch? This matter has been before the Board of Trade, and they have decided entirely upon hearsay evidence. I wish there had been some inquiry made on the spot, for I am satisfied the Inspector would have found that the passing of the measure means ruin to a great number of men who have earned the respect of the Corporation of Bristol by the way in which they have performed their duties, also to the whole village of Pill. I assure the House that the people of Pill are anxiously awaiting its decision, and I hope that decision will not be such that those people will shortly find themselves deprived of the means of livelihood.

(3.25.) MR. BAZLEY-WHITE (Gravesend): I beg to second the Motion for the rejection of the Bill. What I especially wish to call attention to is the attitude of Her Majesty's Government to the compulsory pilotage question; I contend that this is a stab in the dark to the system. During the last 20 years there have been two Select Committees appointed to inquire into the law with regard to compulsory pilotage, and both have reported distinctly in favour of the maintenance of the system. Looking at this fact, I maintain that the question ought to have been dealt with in a larger measure than this Provisional Order Bill, and I deprecate piecemeal and narrow-minded legislation of this sort. I want the right hon. Gentleman either to withdraw the Provisional Order or to introduce into it clauses which would deal with the question of compensation. In 1870 a Bill introduced by the late Mr. Bright and others with regard to compulsory

pilotage contained provisions for giving compensation not only to the licensed pilots, but to all who would suffer under the Bill. We have put upon the records of the House a Resolution that the drink traffic shall not be interfered with without compensation. On the liquor traffic there may be a division of feeling; but on this question of water traffic I do not think that there is any difference in this respect. I believe that this Provisional Order is really the outcome of an answer given by the right hon. Gentleman the President of the Board of Trade to a deputation of shipowners a few weeks ago. I would ask the Government either to deal with the question in a broad, general, and wide way, accompanied by compensation, or to introduce into this Bill clauses which would provide compensation in the manner to which I have referred. In the Bill of 1870 compensation was to be given out of funds to be provided by Parliament to all who suffered any diminution of income under the Act; and I hope that in this case the Government will reconsider their decision.

(3.30.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): My hon. Friends have drawn a very terrible picture of the probable results of this Provisional Order. The hon. Member for Somersetshire (Mr. Llewellyn) anticipates ruin to some of his constituents, the destruction of the whole pilotage system of the Bristol Channel, losses and wrecks innumerable, and all from the curtailment of the limits of the Bristol Pilotage District, and then he went on—and the hon. Member for Gravesend (Mr. Bazley-White) followed him in the same line,—to say that this is a stab at the system of compulsory pilotage, that it is contrary to the recommendations of the Committee of 1888, and that, in fact, it is the exact reverse of the policy which Parliament has hitherto pursued. I traverse those statements entirely. In the first place, I desire to say that in addressing the House on the Bill I do so not as a Member for Bristol, but as President of the Board of Trade. I have endeavoured to keep out of the question altogether my own connection with Bristol, and to deal fairly by those whom the hon. Member for Somersetshire represents. What has occurred in regard to this matter is this: In the autumn of 1889 the Corporation of Bristol, being at that time the Pilotage Authority, applied in the ordinary way to the Board of Trade for a Provisional Order, curtailing the limits of the compulsory pilotage district of Bristol. I declined at the time to proceed with the Provisional Order, because the question of pilotage generally had been occupying the attention of Parliament, and Parliament had, in the preceding Session, passed an Act, by which pilots and shipowners were entitled to obtain representation on Pilotage Authorities if they so desired. The pilots of Bristol had applied for a Provisional Order giving them that representation, and, therefore, I postponed the consideration of the present Provisional Order until the Pilotage Authority of Bristol had been re-constituted by the admission of the representatives of shipowners and of pilots. The Pilotage Authority was re-constituted last year, and, having been re-constituted, it continued the application for the Provisional Order, which is now before the House. Until 1861 pilotage was compulsory throughout the whole of the Bristol Channel to the east of Lundy Island; but in that year, on the application of Cardiff, Newport, and Gloucester, compulsory pilotage was abolished with respect to those three ports, and at present the only compulsory pilotage in the Bristol Channel exists with regard to the old pilotage district of Bristol and ships going inwards to Swansea. Under such circumstances, what was to be my answer to the application of the Bristol Pilotage Authority? What reason was there for retaining the old and unnecessarily extended limits of the Bristol compulsory pilotage district, when pilotage was absolutely free to the other great ports in the Bristol Channel? The present district extends 80 miles, from Bristol itself to Lundy Island. Anybody who knows the Bristol Channel must admit that in the present state of our system of lighthouses and charts, and in view of the general and increasing substitution of steamers for sailing ships, it is perfectly absurd that the compulsory pilotage district should extend to what is, practically, the open sea. I felt obliged by the action which Parliament took in 1861 to assent to the application of the

Corporation of Bristol for this Provisional Order. But in doing so I took care to have regard to the interests of the existing pilots. I called the special attention of the Corporation to the resolution by which they had bound themselves to deal with the subject in a spirit of compensation for existing interests—firstly, by increasing the charges for pilotage within the limits of the diminished district, by pensioning the old pilots—no inconsiderable number out of the 34—out of a Fund, which never was contributed by pilots at all, but which came from charges on foreign ships, and which was in the possession of the Corporation. And, further, the Corporation had undertaken to provide a future Superannuation Fund by a small contribution made by the pilots themselves and a similar contribution made by shipowners, and by some charge upon masters and mates who, by the possession of pilotage certificates, escaped the employment of pilots on their ships. It would be perfectly possible for those interested, if they were not satisfied with these provisions, to have their case fully represented to the Committee upstairs. Personally, I should be very glad to see inserted in the Provisional Order provisions relating to compensation. As to the assertion that the Bill amounts to a stab at the system of compulsory pilotage, I think I have shown that, with regard to the Bristol Channel, by this Provisional Order we are simply following the action of Parliament in 1861, and also, later, the action of Parliament in regard to the Barry Docks. I entirely disagree from my hon. Friends in the opinion that this Provisional Order is contrary to the recommendation of the Committee of 1888. That Committee reported—

"They are of opinion, taking all the circumstances into consideration and having regard to the advantages of decentralisation, that the principle of compulsion as it now exists should not be interfered with, leaving to Local Pilotage Authorities full and ample powers to adopt such system and frame such regulations, subject to the sanction of Parliament, as may be most conducive to the interests of the trade and shipping of the particular port over which their jurisdiction extends,"

which was precisely what has been done in this instance. The principle of compulsion has been retained. Pilotage will be compulsory within the restricted area.

Sir M. Hicks Beach

*Mr. LLEWELLYN: May I point out that the taking up or letting off of a pilot at the Holms will be attended with great danger on account of the narrow channel and strong tides.

*Sir M. HICKS BEACH: The pilots themselves admit that the maintenance of a compulsory district extending to Lundy Island is indefensible. I leave my colleagues in the representation of Bristol to state their opinions as to the effect of the existing system on the commerce of Bristol, and I ask the House to give the Bill a Second Reading, with the understanding that provisions for the compensation of those whose interests will be prejudicially affected may be fairly considered by the Select Committee. I may add that the Government will be glad to assent to the insertion of clauses dealing with the matter.

*Sir J. WESTON (Bristol, E.): I wish to refer to the disadvantage Bristol trade is under in consequence of the compulsory pilotage, a disadvantage from which other ports in the Bristol Channel, including Cardiff and Newport, are free. Upon the first application of Bristol to be exempt from this condition, the Board of Trade recommended the Corporation to appoint a Committee, consisting of members of the Town Council and representatives of shipowners and pilots, to thoroughly investigate and consider the whole matter. This recommendation was carried out, with the result that bye-laws and a schedule of rates and charges were framed, which were afterwards affirmed by the Corporation. In the course of the proceedings, the chief objection made on behalf of the pilots was that their receipts, under the altered arrangements, would be diminished. The Corporation have since carefully considered the position of the pilots, and are of opinion that their interests have been cared for in the schedule of rates and the proposal for superannuation, to which the President of the Board of Trade has referred. The feeling in favour of the Bill is well-nigh unanimous in the Town Council, and public opinion in Bristol thoroughly realises that the Bill is necessary to the prosperity of the trade of the city, which hitherto has been severely handicapped in competition with other ports, while the pilots will be affected only, if at all,

in an inappreciable degree. I give a hearty support to the Bill.

*(3.50.) COLONEL E. S. HILL (Bristol, S.): I rise to support the Bill now before the House, and in doing so I desire to say, as a shipowner, that I am strongly interested in the maintenance of an efficient pilotage service, for the shipowner's only chance of profit rests in the safe navigation of his vessels. Much has been said touching the inexpediency of abolishing compulsory pilotage. In narrow waters this system must always remain, whereas in some places its expediency is an open question, but this question is not raised by the Bill before the House. It has been asserted that the Bristol Channel is dangerous to navigate. This is not the case, and I believe I am correct in stating that a vessel may shape her course from the Holms to New York without requiring to alter it. Whatever dangers there are, do not commence until the Holms are passed. My hon. Friend the Member for North Somerset has quoted some words of a speech of mine, in which I expressed my opinion that the pilots should be compensated for any change that might be made. I do not recollect the exact words I used, but, doubtless, they were to that effect, and I am prepared to stand by them. The pilots are a most respectable body of men whose interests ought to receive the most careful attention; and if I did not think that this had actually been done, I should not be here to support the Bill. In days not long ago gone by, Bristol was the dominant port in the Channel to which she gave her name, and the entire pilotage system was under her control. The great ports of Cardiff and Newport were unknown, whilst Swansea and Gloucester were comparatively unimportant; but in the year 1861, these ports had undergone a wonderful development, and they came to Parliament and asked to be relieved from the "yoke of Bristol," and to have pilotage systems of their own. This request Parliament granted, and with it gave them non-compulsory pilotage, and that without any compensation to the then existing interests of the pilots. It is not for me to question the wisdom of Parliament in so doing, but I think the House will feel that when non-compulsory pilotage has been granted in the case of nine-tenths of the vessels using the British Channel, to retain the other tenth under a compulsory system would be an anomaly and absurdity. Bristol asks Parliament to do her the justice of relieving her from a condition which, in these days of fierce competition, tend to handicap her trade, and place her in a position of disadvantage. It is therefore proposed to restrict the area of compulsory pilotage to the limits of her own port—that is, to the Holms, and in fixing this limit a desire has been evinced to treat the pilots generously, inasmuch as vessels proceeding to Gloucester may navigate from the Holms to King Road without a pilot. If it had been proposed to retain the present rates within the restricted area, the pilots would distinctly have been injured, and would have had a good case, but the existing rates are to be increased; for instance, in the case of a vessel not exceeding 500 tons, from the Holms to Bristol the rate is increased from £2 6s. to £2 15s. 6d.; under 1,000 tons, from £3 11s. 6d. to £4 13s. 6d.; under 1,500, from £4 to £6 9s. 3d., and under 2,000, from £4 to £8 4s.; and I believe I am correct in stating that these rates are higher per mile than is at present charged for any other portion of the Channel. It is in this increase of rates that the compensation of pilots chiefly exists. As to the general result upon the gross earnings of the pilots, it is quite evident that the pilotage over an area, that has been restricted some 70 odd miles, must require less time to perform, and, consequently, there are fewer pilots. The number of pilots is now 34, but it is believed that 25 will suffice, in which case their gross earnings per man will be much the same as at present. It has been wisely resolved to establish a Superannuation Fund, and 5 per cent. is to be deducted from the earnings of the pilots for this purpose. Of this sum the shipowners contribute 2½ per cent., the rates having been increased accordingly. Something has been said about the western men or sailors employed in the pilot boats. No doubt fewer of them would be required, but these sailors will have no difficulty whatever in finding profitable employment elsewhere. My hon. Friend the Mem-

ber for North Somerset has maligned the Bristol Channel in stating that it contained no fish. Doubtless he is unaware that there are no less than 21 steam trawlers now engaged in the fishing industry of the Channel. In addition to the increase of rates, within the restricted area, the present pilots are to have given to them a vested interest in a sum of about £8,000, which was collected by a surcharge upon the pilotage of foreign vessels between the years 1810 and 1837. It is proposed to give a pilot, having attained the age of 65, a pension of £30 a year. There are, I am informed, nine or ten who have already passed that limit, and although I do not say they are not good pilots, it seems to me that when a man has attained that age he may well think about retiring from active service. Sir, although I have the misfortune to disagree with my hon. Friend the Member for North Somerset on this occasion, I still yield to none in my appreciation of the services of pilots, or my desire for their welfare. Some years ago, before I had the honour of a seat in this House, I brought in a Bill at much personal trouble and cost for the purpose of placing pilots upon the Cardiff Pilotage Board. I succeeded, and I am glad to find that the principle is now thoroughly acknowledged. The Bristol pilots, who have hitherto been practically under the control of one man, will now be under a duly recognised Board upon which three of their own Members have seats. It has been urged that if this Bill be sent to a Committee, the pilots are too poor to represent their case. I cannot see the necessity for incurring heavy expense. The pilots can themselves appear before the Committee with a plain, unvarnished tale, and I am quite sure the Corporation of Bristol would be ready to acquiesce in whatever the Committee might consider that justice demanded. In the interests of Bristol, and in the interests of the pilots themselves, I urge the House to read this Bill a second time.

*(4.5.) SIR E. J. REED (Cardiff): When the Debate commenced, I was disposed to support the Motion for the rejection of the Bill; but what the President of the Board of Trade has said has influenced me in favour of the Bill. The interests of a class of men like pilots are not to be lost sight of. When questions of compensation are raised in reference to many trades and classes, there is no body of men whose claims are entitled to more attention than that of the pilots of this country. But the President of the Board of Trade has given what amounts to an undertaking, that in Committee the claims of the pilots to compensation shall be very carefully considered, and with that assurance the hon. Member (Mr. Llewellyn) might I think be content.

MR. W. ABRAHAM (Glamorgan, Rhondda): I do not understand that the right hon. Gentleman has given any such assurance. He has only said he would be glad if the Committee would consider the question of compensation.

*SIR M. HICKS BEACH: Perhaps I may explain that it is not in my power to give any such guarantee. The decision must rest with the Committee. I have expressed the view of the Board of Trade that the question of compensation should be brought before the Committee, and that the Committee should give due weight to the Petition, and will, no doubt, take evidence and come to a decision which the Board of Trade would gladly carry out.

MR. W. ABRAHAM (continuing): I intend to vote against the Second Reading, because, before the Committee, these pilots will have all the disadvantage of poor men fighting a rich Corporation like that of Bristol with the resources of public money. It is a case in which the House should take action without leaving the matter to a Committee. It is one of those matters that might well be relegated to the Labour Commission. Each pilot has served seven years' apprenticeship, has bought a boat at a cost of £350, the repairs of which average £50 a year, and he has to pay a man to assist him £1 a week. All these considerations establish a strong case for compensation, and the Superannuation Fund referred to is one to which the men have indirectly contributed.

Mr. LLEWELLYN rose to speak, but Mr. SPEAKER reminded him he had no right of reply.

(4.30.) The House divided:—Ayes 165; Noes 119.—(Div. List, No. 255.)

QUESTIONS.

TRANSFER OF LICENCE.

MR. W. BOWEN ROWLANDS (Cardiganshire): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the fact that a transfer of a licence was granted by the Liverpool Magistrates on the 30th of April last to an applicant who stated that his only interest in the business was the receipt of weekly wages; and whether the possession of such an interest is a sufficient compliance with the statutory provisions which regulate the transfer of licences to warrant the Magistrates acceding to the application; and, if so, whether he would consider the advisability of taking steps to amend the law in that particular?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the Justices that, whilst the applicant did inform them that his only interest in the business was the receipt of weekly wages, at the same time they satisfied themselves that he was about to keep the public house as manager for the owner of the premises, that he was the *bonâ fide* occupier of the premises under the written acceptance of him as such by the owner, and that he was a fit and proper person to hold a licence. The necessary legal conditions were, therefore, in the opinion of the Bench, fulfilled. I am advised that this opinion was well founded, and I am not prepared to propose an alteration of the law in this particular.

EGYPTIAN FIVE PER CENT. DOMAINS LOAN.

MR. BAUMANN (Camberwell, Peckham) (for Mr. ISAACSON (Tower Hamlets, Stepney)): I beg to ask the Under Secretary of State for Foreign Affairs whether he will place upon the Table of the House the correspondence relating to the rejected offers for the conversion of the Egyptian Five per Cent. Domains Loan?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Her Majesty's Government are not in possession of any correspondence on the subject, but have merely heard that the Egyptian delegates for the conversion (Mr. Palmer and Tigrane Pacha) did not consider the proposals for the Domains Loan acceptable. The matter is referred to in Sir E. Baring's Report on the financial situation in Egypt, which has just been distributed.

COUNTY MEDICAL OFFICERS.

DR. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether his attention has been called to the appointment by the County Council of Ross-shire of a Medical Officer of Health for the county, with the exceptional stipulation that he should be allowed to carry on private practice; whether there were other experienced candidates for the post willing to accept it on condition that they should devote their entire time to its duties; and whether the Board of Supervision has sanctioned the appointment made by the County Council?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): My attention has been called by the hon. Member's question to the appointment by the County Council of Rossshire of a medical officer for the county without the usual stipulation that he shall not be allowed to carry on private practice. I understand that there were other candidates, but have no information as to the conditions on which they were prepared to accept office. The Board of Supervision have not sanctioned the appointment, as the Local Government Act does not make such sanction necessary. The Board, however, have intimated to the County Council that the appointment as made may in future endanger the claim of the County Council to share in the grant administered by the Secretary for Scotland, under the Local Taxation Act of last year, in aid of the salaries of medical officers for counties.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask whether the right hon. Gentleman is aware that Dr. Bruce, the medical officer in question, has altogether given up general practice, and intends to confine himself to consulting practice?

MR. J. P. B. ROBERTSON: I believe that to be substantially the case.

THE ORKNEY MAILS.

MR. LYELL (Orkney and Shetland): I beg to ask the Postmaster General whether his attention has been called to the present very defective arrangements for landing and embarking the mails at South Ronaldshay, in Orkney, and the risk incurred of losing the mail bags and large parcel post baskets owing to the transfer from the steamer taking place on the open sea to a small boat, which has afterwards to land the mails at a point two miles from the post office at St. Margaret's Hope; and whether the Steamship Company is not bound to land the mails at St. Margaret's Hope; and, if not, will he provide in the next contract that the steamer shall call at that port on its way to and from the mainland of Scotland?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The Orkney mail steamer is required by the contract to call at Hoxa Point to put off the mails for South Ronaldshay, which are taken ashore by a boat in waiting, and then by road to the post office at St. Margaret's Hope. I understand that this arrangement is a safe one, and in the circumstances convenient, and that it has been regularly carried out for years without accident. Under present conditions, the steamer could not enter the bay at St. Margaret's Hope without running the risk of serious delay. The existing contract for this service has yet nearly three years to run, but when the time arrives for revising it the question of providing for a call of the steamer at St. Margaret's Hope shall be considered.

VOLUNTEER DRILL-HALLS.

MR. FRASER-MACKINTOSH (Invernessshire): I beg to ask the Secretary of State for War whether, as the erection of Volunteer drill-halls is an essential, while the cost is a heavy burden on the resources of battalions, he will introduce a Bill authorising the Public Works Loan Commissioners to grant loans over such halls on the same easy terms as are given for other public works; and whether, as the whole expenses of a Volunteer corps have to be advanced by the officers, while the Capitation Grant is not payable until six months after the close of the Volunteer year (October 31), he can see his way to relieve the officers by ordering a payment to account in June yearly, and the balance so soon as the returns have been checked?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): Although drill-halls are not essential, they are a very great advantage to the corps, and there is a great deal to be said in favour of the suggestion of the hon. Member, and I will take it into further consideration with the Treasury. As regards the Capitation Grant, it has been already often explained that the original payment having been made in advance, there is no tangible grievance, unless in the case of corps raised after the original advance was made. Moreover, to change the system would now involve two payments in one year, and I am not prepared to recommend this large expenditure.

TITHE RENT AND PROPERTY TAX.

MR. COZENS-HARDY (Norfolk, N.): I beg to ask the Chancellor of the Exchequer whether, since the Tithe Act, 1891, a landowner is entitled to deduct from the tithe rent-charge payable by him to the tithe owner the property tax assessed in respect thereof, and if he is not so entitled, whether property tax is payable by the landowner on the full amount of the rent received by him from the occupier, or only upon such part of the rent as does not represent tithe rent-charge; and how is such part to be ascertained by the occupier?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): A landowner is entitled to deduct the Income Tax from the tithe rent-charge payable by him to the tithe owner, provided the amount of such tithe rent-charge is included in the assessments on the occupiers of the lands out of which the tithe rent-charge arises, which will be the case unless the tithe owner has elected to be assessed, and is personally assessed, in respect of his tithe rent-charge. Information as to whether the tithe is included in the assessments of the lands out of which it arises can be obtained on application to the Surveyor of Taxes for the district in which the lands are situate.

FACTORIES AND WORKSHOPS ACT.

MR. A. H. DYKE ACLAND (York, W.R., Rotherham): I wish to ask the Postmaster General whether his attention has been called to page 52 of the last Annual Report of Her Majesty's Chief Inspector of Factories and Workshops, in which the case was mentioned of a postmaster in a hamlet on the top of the Chilterns, who kept a general shop, and was an employer of labour, as to whom the Inspector said—

"The men who work for him are obliged to deal with him for everything. Money seldom or ever passes, and the weekly earnings are doled out in the shape of bad bacon, worse cheese, and doubtful groceries. The poor creatures have no choice, 'Take my goods, or go and find work elsewhere;'"

and whether he will consider the question of continuing in the Public Service a person who is so described?

*MR. RAIKES: I have to state that, notwithstanding the strictest inquiry, I have been unable to identify the person to whom the hon. Member refers. No representation has been made to me by the Chief Inspector of Factories on the subject.

MR. A. H. DYKE ACLAND: Does the right hon. Gentleman refuse to give the name?

*MR. RAIKES: I do not propose to give the name at present, but I understand that inquiry is being made in the district into the subject.

PLEURO-PNEUMONIA.

MR. LENG (Dundee): I beg to ask the President of the Board of Agriculture, whether his attention has been called to the statement in the *Liverpool Journal of Commerce* of 27th May, that

"For several days upwards of 1,000 head of Canadian fat cattle have been detained in consequence of a suspicion of pleuro-pneumonia existing. The suspected animal was slaughtered, and the lungs sent to London for examination. Yesterday afternoon a telegram was received stating that it was not a case of pleuro-pneumonia, and the whole of the cattle have been released;"

whether he is aware that a similar false alarm, detention, and release occurred last year at Dundee; whether, in the case of the cattle landed *ex Lake Huron*, they were duly inspected previous to shipment at Montreal, and branded with letters signifying that they were free from disease; whether the evidences of sporadic disease can be distinguished from those of pleuro-pneumonia; and whether, in view of the important interests involved, instructions will be given for a competent officer of the Board to examine the lungs of suspected animals at the port of landing, and so prevent the delay caused by forwarding them for examination to London?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): It is not strictly accurate that upwards of 1,000 cattle from Canada were detained for several days in consequence of suspicion of pleuro-pneumonia. Two cargoes of cattle were landed about noon on May 24—603 from the steamship *Huron*, and 309 from the steamship *Mongolian*—and placed in the same shed. Upon inspection, one beast was found badly affected with some form of lung disease. The Inspector telegraphed next day to the Department that he had detained the cattle, and sent the lungs for examination to London. Upon the 26th—the day afterwards—the lungs were examined, and the animals were released about noon on the same day—that is to say, after being detained for 48 hours, and not for several days. All cattle coming from free countries, of which Canada is one, are detained by the orders which have been in force for many years for not less than 12 hours for inspection, and very commonly for 24. Some of the cattle were branded, but that would be no guarantee against disease; and sporadic disease, I am advised, can be distinguished by experts from pleuro-pneumonia. It is true that a similar case occurred at Dundee last year; but I am unable to accept the suggestion of the hon. Member to leave the decision in these cases to the unsupported opinion of an Inspector at the port. The question, in my opinion, is so serious—involving, as it does, the prohibition of Canadian cattle on the one hand, or their free admission into the country on the other—that it should only be decided, in my judgment, upon the best and most careful opinions that I can obtain.

POLICE BURGHS IN SCOTLAND.

MR. LENG: I beg to ask the Lord Advocate whether Police Burghs in Scotland, as recognised under Section 2, Sub-section (iii.), (b.), of "The Local

Taxation, Customs, and Excise Act, 1890," will receive directly their share of all grants under the Budget arrangements of the present year, without passing through the hands of County Councils or any other channel except the Treasury or the Scotch Department?

*MR. J. P. B. ROBERTSON: This is a point which cannot be determined apart from the question as to the purposes to which the money shall be applied; but it will be duly considered in that connection.

ANGLO-AMERICAN PARCELS POST.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Postmaster General whether, in view of the immense volume of Anglo-American trade, he will commence negotiations for the institution of a Parcel Post between the United Kingdom and the United States; and whether, if such negotiations have already been conducted, without result, he will have any objection to lay the correspondence which has passed upon the Table of the House?

*MR. RAIKES: I am glad to be able to state to the hon. Member that, recognising the importance of the matter, one of my first acts on taking office in 1886 was to make proposals to the Post Office of the United States, for the establishment of a Parcel Post with that country, and I have since lost no opportunity of urging the great advantage which would accrue to the public on both sides of the Atlantic from such a measure, but my endeavours have not yet proved successful. I will consider whether it will be practicable to lay any part of the correspondence on the Table of the House.

A LIGHTHOUSE FOR THE SULE SKERRY.

MR. LYELL: I beg to ask the President of the Board of Trade whether any arrangements have been made for erecting a lighthouse on the Sule Skerry, off the North-West of Scotland; and, if so, what is to be the character of the light; and when will the work be begun?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The Board of Trade have given their statutory sanction to the erection of a first order group flashing light on Sule Skerry, and it is expected that the work will be commenced this summer.

POSTMASTERS AND SPIRIT LICENCES.

MR. LYELL: I beg to ask the Postmaster General whether he is aware that Mr. Anderson, the newly-appointed sub-postmaster at Baltasound, is the agent of a spirit merchant in Lerwick; and, as holder of a spirit licence, his shop is very much objected to as a post office on account of its encouraging thriftlessness and intemperance; whether he is aware that this house is most inconveniently situated, being quite away from the centre of population in the district; that, while the former Post and Telegraph Office was within the free delivery distance of a great number of the fish-curing stations, the new office is much farther off, and great annoyance will be caused to the fish-curers by the delay and increased charges arising from the change of office; and whether he will take steps to remedy these defects by requiring the new postmaster to give up his spirit licence and remove his office to a more central and convenient situation?

*MR. RAIKES: Mr. Anderson was nominated to the vacancy at Baltasound by the Lords of the Treasury with a full knowledge of the circumstances of the case. He does not hold a spirit licence, and does not propose to conduct post office business in premises in which that of a licensed grocer is carried on. As at present advised I see no sufficient reason for cancelling Mr. Anderson's nomination. I will inquire if the postmaster can obtain premises more conveniently situated than his present ones.

MAJOR GRANT AND THE NATIVE INDIAN TROOPS.

VISCOUNT CURZON (Bucks, Wycombe): I beg to ask the Under Secretary of State for India whether he has taken into consideration the great gallantry displayed by the Native troops engaged at Thobal under Major Grant; and whether he will recommend that some recognition of their services should be granted?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): Yes; the Government of India has determined, with the approval of the Secretary of State, to recognise

the great gallantry of the Native troops under the command of Major Grant in the following way. The Order of British India will be conferred on all the officers, and the Order of Merit will be conferred on the non-commissioned officers and certain selected men. The commissioned and non-commissioned officers fit for promotion will receive a step of rank, and six months' pay and allowances will be given to all ranks, including camp followers.

IRELAND—LAND COMMISSION, LONDONDERRY.

MR. LEA (Londonderry, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when the Chief Commissioner will hear fair rent appeals from the County of Londonderry, and if the sitting will be held in the County?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Irish Land Commissioners report that they intend to hold a sitting at Coleraine on 14th July next, at which fair rent appeals from the County Londonderry will be heard.

MINE INSPECTORSHIP, LIVERPOOL DISTRICT.

MR. G. OSBORNE MORGAN (Denbighshire, E.): I beg to ask the Secretary of State for the Home Department whether it is the fact that Mr. E. E. Stokes has been appointed Assistant Inspector of Mines in the Liverpool district; whether that district comprises among other places the Counties Denbigh, Flint, and Anglesey, in the Principality of Wales, in which the Welsh language is generally spoken; whether Mr. Stokes has any knowledge of that language; whether, among the candidates for the post filled up by this appointment, there were several persons, having a thorough knowledge of the Welsh language, who were also in other respects perfectly qualified and competent to discharge the duties; and whether, under these circumstances, the appointment of a gentleman ignorant of that language to the office in question is in accordance with the provisions of Section 39, Sub-section 1, of "The Coal Mines Regulation Act, 1887"?

MR. MATTHEWS: Yes, Sir; it is the fact that Mr. Stokes has been appointed Assistant Inspector of Mines to the Liverpool district, having been superior to several candidates in a competitive examination. I am not aware that he is acquainted with the Welsh language. The Liverpool district includes three Welsh counties, of which one, Anglesey, according to the last Return, produces no mineral. The other two produce only about one-fifth of the total amount of coal raised in the whole district. I do not consider that the section quoted precludes the appointment of Mr. Stokes to a district which is only partially Welsh, and which has hitherto been efficiently served by English-speaking Inspectors.

*MR. G. OSBORNE MORGAN: Are we, then, to understand from the right hon. Gentleman that a gentleman, who does not understand Welsh, is to exercise this jurisdiction over the many thousands of persons in the districts mentioned who speak no other language?

MR. MATTHEWS: I am not aware of the number of persons speaking the Welsh language in those districts.

*MR. G. OSBORNE MORGAN: I beg to give notice that I will take an early opportunity of calling the attention of the House to this subject.

DUBLIN SOCIAL CLUBS.

MR. M. J. KENNY (Tyrone, Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will give a Return showing the number of clubs, with their names and where situate, in Dublin; the membership fees of each; the increase in the number, if any, since the Select Committee sat on the Sunday Closing (Ireland) Acts in 1888; the Sunday and week day hours of opening and closing of such clubs; and the regulations of each club, if any, which govern the admission of non-members?

MR. A. J. BALFOUR: Apart from the better class social clubs in Dublin, and the boating and yachting clubs in its vicinity, there are in Dublin 21 clubs, and these, with three exceptions, are used by the artisan and labouring classes. Of these 21 clubs, seven have been established since 1888. The details desired by the hon. Member are rather voluminous to give in the form of a reply to a question, but I shall be happy to hand

him a copy of the Return furnished by the Commissioner of Police on the subject.

THE MEDICAL OFFICER OF THE GORTIN DISPENSARY DISTRICT.

MR. M. J. KENNY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if the Local Government Board has taken any action consequent on the Report by Dr. Stafford of the result of a sworn inquiry held before him into certain charges against Dr. Given, medical officer of the Gortin [(County Tyrone) Dispensary District; if the Local Government Board Inspector reports that the third charge, which is described in the letter of the Assistant Secretary, Mr. McSheehan, as of a serious nature, has been fully and clearly proved, and

"Afforded just and proper cause of complaint on the part of Catherine O'Hara (complainant), and her relations, owing to the unfeeling and harsh language indulged in by the medical officer towards the girl";

and if the Local Government Board in coming to a decision will give consideration to the fact that those members of the Dispensary Committee, who, notwithstanding the result of the inquiry, decline to recommend Dr. Given's removal, voted originally against asking for the inquiry in question?

MR. A. J. BALFOUR: The Dispensary Committee having by a majority expressed their opinion that, having regard to the severe reprimand administered to the medical officer referred to he should not be called upon to resign, the Local Government Board have decided that they will not take further action in the present case; but they have warned the medical officer that any further case of the kind would be followed by his immediate removal.

RUGBY SANITARY AUTHORITY.

MR. COBB: I beg to ask the President of the Local Government Board whether he is aware that on 25th May the Inspector of Nuisances reported to the Rugby Rural Sanitary Authority that he had seized on 20th May a quantity of meat unfit for human food deposited in a cart owned by Mr. Thomas White, butcher, of Willoughby, addressed to a meat salesman in the Metropolitan Market, and actually at the railway station, and that the meat was afterwards seen by the Medical Officer of Health and a Justice of the Peace, and was condemned and destroyed; whether the Medical Officer of Health repeatedly urged the authority to prosecute White, but that by a majority of one they declined to do so; whether White has twice previously been convicted before the Rugby Bench, and once before the Daventry Bench, for similar offences, and was sentenced to two terms of imprisonment of three months each, and on the last occasion fined £40; and whether he will make immediate inquiries of the Medical Officer of Health and the Inspector of Nuisances of the Rugby Rural Sanitary Authority and give directions that a prosecution shall take place?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I have made inquiry, and am informed that the facts are substantially as stated in the question, and that, although the Sanitary Authority by a majority of one declined to prosecute White, that majority was occasioned by the report of a case at Burton Latimer, in Northamptonshire, which was commented upon by several of the members of the Sanitary Authority, and in which the conviction had been quashed on the ground that the meat had not been actually exposed or offered for sale, and by the absence of the clerk through illness, who, no doubt, could have explained that the case cited had no bearing on the one under consideration. I have no authority to give directions that a prosecution shall take place.

NEWFOUNDLAND—SEIZURE OF THE SCHOONER *MARY* BY THE FRENCH.

MR. MORTON (Peterborough): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to the seizure of the schooner *Mary*, by the French authorities at St. Pierre, in July last, and the confiscation of her cargo, which belonged to Messrs. Goodridge, of St. John's, Newfoundland, and who were not the owners of the vessel, the *Mary* having only put into St. Pierre through stress of weather?

SIR J. FERGUSSON: Action has been suspended in the case of the *Mary* pending the decision of the Court of Appeal in Paris. As soon as the text of that decision is received, the case will be fully considered.

THE NEW ART GALLERY.

DR. FARQUHARSON: I beg to ask the Chancellor of the Exchequer whether, in stating that the Professors of Science were present when the ground for the Art Gallery was being considered, he meant to imply that they expressed their approval of the allocation of that ground to an Art Gallery?

MR. GOSCHEN: I did not state that the Professors of Science were present when the ground for the British Art Gallery was being considered, but that the responsible representatives of the Science and Art Department were present on that occasion. My statement, therefore, contained no implication as to the views held by the Professors of Science with regard to the site selected.

DR. FARQUHARSON: I beg to ask the Vice President of the Committee of Council on Education in what way the opinions of the scientific staff of the Science and Art Department have been taken with reference to the new Art Gallery proposed to be built on land bought for scientific purposes?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): Some of the Professors of the College of Science made a representation on the subject to the Lord President, who forwarded it to the Chancellor of the Exchequer.

*DR. FARQUHARSON: I beg to give notice that on the Estimates I shall direct the attention of the House to this question, and give the House the history of this mysterious transaction.

LABOURERS' WAGES IN DUBLIN.

MR. J. NOLAN (Louth, N.) for Mr. GLANCY (Dublin Co., N.): I beg to ask the Secretary to the Treasury whether the labourers and artisans in the employment of the Board of Works in the County and City of Dublin are paid less than the ordinary rates of wages at present prevailing in that district for those two classes of workmen respectively; and, if so, whether he will direct that the wages of the *employés* of the Board of Works referred to be increased, so as at least to make them equal with the wages paid by private firms?

SIR H. MAXWELL (for the SECRETARY to the TREASURY (Mr. Jackson, Leeds, N.): I learn from the Board of Works in Ireland that they have no exact information as to the rates of wages paid by private firms in Dublin, but that they are of opinion that, looking to the conditions and the constancy of employment given by the Board, the wages of the men employed by it compare favourably with those paid by private firms.

TRALEE AND DINGLE LIGHT RAILWAY.

MR. SHEEHAN (Kerry, E.): I beg to ask the Secretary to the Treasury whether his attention has been called to the fact that the Tralee and Dingle Light Railway Company, with a capital of £150,000, consists of nine members, while there are 10 Directors, only two of whom hold shares in the Company, and that the 10 Directors will be able to draw £20 a year each from the receipts; whether he is aware that the Directors, over seven months before the opening the line, appointed a Secretary at £200 a year, and a Manager at £150, which they have lately increased to £200 a year; while, on several other railway lines, the duties of the two offices are performed by one official; whether the Secretary was appointed at a meeting of the Board without any previous public announcement, that he is the son of the Vice Chairman of the Company, both of whom are engaged in local commercial business, and that the appointment has given rise to a great deal of dissatisfaction among the other local traders, since their business over the line will be open to the inspection of a rival trader, thus placing them at a very serious disadvantage; and whether, since this line was built under the Tramways (Ireland) Act of 1883, the Treasury will contribute half the required guarantee, when such expenses have been incurred?

SIR H. MAXWELL (for Mr. JACKSON): The Treasury has no official information, but I understand that the Tralee and Dingle Light Railway Company consists of 11 shareholders, who hold the entire capital of £150,000 between them. There are 10 Directors, of whom 6 are appointed by the shareholders, 2 of them holding shares in the Company; 3 are appointed by Baronies, of whom one holds shares in the Company; and the 10th is appointed by the Tralee Town Commissioners. There is no qualification necessary for Directors. The fees

payable to Directors are £1 1s. per meeting—not exceeding £20 per annum each. I am informed that the Directors have received no fees for the last five years. A Secretary was appointed in May, 1885, at a salary of £200 per annum, and his successor, the present Secretary, was appointed in August last at the same salary. The traffic manager was also appointed in August last at £150 per annum. He also acts as station master in Tralee, and I am informed that the Directors propose to increase his salary by £50 per annum. The Secretary was unanimously appointed by the Board, but without previous public announcement; he is the son of the Vice-Chairman, who, like himself, is engaged in local commercial business. The contribution of the Treasury to the guarantee on the shares will be paid, subject to the conditions of the Tramways (Ireland) Act, 1883, which provides for a proper audit of the accounts.

THE IRISH CENSUS.

MR. KNOX (Cavan, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has yet obtained such an approximate Report of the results of the Census of 1891 in Ireland as will enable him to inform the House as to what electoral divisions in what counties will form congested district counties after this Census has been published; whether he will order a map to be constructed showing the electoral divisions in question for the information of Members; and whether he will present a Return to the House showing the capital and annual value of the Contingent Guarantee Fund in the case of each congested district county?

MR. A. J. BALFOUR: I have not yet obtained the approximate Report referred to by the hon. Member; but I have requested that it be prepared as expeditiously as possible.

IRISH LAND PURCHASERS AND THE INCOME TAX.

MR. SEXTON (Belfast, W.): I beg to ask the Chancellor of the Exchequer under what Schedule or Schedules, and on what principle, purchasers under the Land Purchase Acts in Ireland are liable to be assessed for the purpose of Income and Property Tax; what would be the amount paid under Schedule B by a tenant whose rent is £150 and the rateable value of whose holding is £100; and what would be the amount paid under Schedules A and B by the same person after he had purchased at 20 years' purchase under the Land Purchase Acts (presuming in each case his total income to exceed £400)?

*MR. GOSCHEN: Purchasers under the Land Purchase Acts are liable to be assessed to Income Tax under Schedules A and B in the same manner as other owners of property. The tenant under the circumstances described would pay 2¼d. in the £1 under Schedule B on £100. He would pay on £100 at 6d. under Schedule A, but he would be entitled to deduct the tax paid on that portion of the annuity which represents interest. It is hardly likely that many cases would arise in which a purchasing tenant would be assessed at such an amount as would make him liable to Income Tax, but in any case of difficulty the Board of Inland Revenue would doubtless be able to deal with it on its merits.

LOCAL REGISTRATION OF TITLE (IRELAND) BILL.

MR. M. J. KENNY (Tyrone, Mid): I beg to ask Mr. Attorney General for Ireland if, in the event of progress not being made with the Local Registration of Title (Ireland) Bill, he will consider the advisability of detaching Part IV. and introducing it as a separate Bill?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The Bill referred to has now been before the public for some time, and I have received numerous communications on the subject which lead me to believe that the Bill will not prove contentious, and to hope that it will be possible to pass it into law during the present Session.

ETHER AS AN INTOXICANT.

MR. SHAW LEFEVRE (Bradford, Central) for Sir LYON PLAYFAIR (Leeds, S.): I beg to ask the Chancellor of the Exchequer whether the steps taken to stop the use of ether and methylated spirit as intoxicants, in Tyrone and other parts of Ireland, have been successful?

MR. GOSCHEN: As regards ether, I am informed that the effect produced by

scheduling it under the Sale of Poisons Act has been most beneficial. Its use as a beverage is said to have decreased greatly, and is alleged by many to have ceased entirely. It is further stated that the sales of the wholesale chemists in Belfast have fallen off about 90 per cent. I hope that the drinking of methylated spirits may be prevented by the means taken to render it more nauseous, and by stricter regulations, which have been approved by the Board of Inland Revenue.

SIR W. LAWSON (Cumberland, Cockermouth): May I ask the right hon. Gentleman whether there is any evidence that ether does any more harm than whisky?

MR. GOSCHEN: Yes, Sir; I believe it is so.

H.M.S. *WARSPITE.*

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty whether it is correct that serious defects have been reported regarding the hull of the armoured cruiser *Warspite*, flagship on the Pacific station; if so, can he state the nature of the defects, and the time likely to be occupied in repairing them, and if it is true that the Admiralty have asked for 12 shipwrights and four caulkers to be sent from Sheerness; and, if so, why, seeing that there are Government Yards at Halifax and Esquimault?

THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD, Lancashire, Ormskirk): Leakages have developed between the teak sheathing and the outer iron skin of the ship, which require examination, and, as it is a work of a very special character, it was considered, in the interests of economy and efficiency, desirable to send out men specially acquainted with that class of work. The Admiralty establishment at Esquimalt is very limited in extent.

NYASSALAND.

MR. A. E. PEASE (York): I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government has any information as to the engagement of 500 men, more or less, at Zanzibar, by Mr. H. A. Johnston, Her Majesty's Commissioner, for service in Nyassaland; whether the contracts made with these men are with themselves direct, or with any third party; and whether Her Majesty's Government can assure the House that no slaves will be allowed to be engaged either by Mr. Commissioner Johnston, Lieutenant Stairs, or any other British subject?

SIR J. FERGUSSON: We have had no Report as to the engagement of porters at Zanzibar. It was Mr. Johnston's intention to obtain some there for his expedition. He would doubtless, as a British Consular officer, be careful as to his contracts. There is no regulation against the engagement of slaves as porters, provided that contracts are made direct with them, nor would it seem desirable to deprive slaves of the advantage of free labour under European leaders; but it is the duty of the British Representative to do his best to secure that there is no abuse, and that the contracts are not made with the masters. This duty is not confined to engagements made on behalf of British subjects.

MR. A. E. PEASE: Will the right hon. Gentleman place on the Table copies of the contracts entered into between Mr. Johnston and these men?

SIR J. FERGUSSON: The Government have no knowledge of any contracts, and do not possess copies of them. On previous occasions they have had positive reports that all contracts have been made between the persons hiring and the men hired.

THE NEWFOUNDLAND FISHERIES.

MR. MORTON: I beg to ask the Under Secretary of State for Foreign Affairs whether he has any official information as to the reported action of the French war vessels on the West Coast of Newfoundland, in preventing the sale of bait to American fishing vessels by the inhabitants of St. George's Bay; and whether such action is an infringement of the Treaty of 1818 with the United States?

SIR J. FERGUSSON: A telegram has been received from the Governor of Newfoundland stating that a French officer is reported to have warned the inhabitants of St. George's Bay not to sell bait to United States fishermen, under penalty of seizure of their nets and boats. This does not appear to be a specific infraction of the Treaty of 1818 with the United States, which only secures to United States citizens

the right of fishing on certain parts of the coast. But it constitutes, if correctly reported, an interference with the rights of British subjects, and an assumption of jurisdiction inconsistent with the Sovereign rights of the British Crown, and Her Majesty's Government have at once brought the matter under the notice of the French Government.

OCEAN PENNY POSTAGE.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Postmaster General whether instructions have been given to the British delegates at the Postal Union Conference in Vienna to insist upon and obtain for this country perfect freedom of action as regards the institution of Imperial Penny Postage, or of Ocean Penny Postage, between the United Kingdom and the British Colonies, without reference to the rates of postage payable on letters exchanged between the United Kingdom or the British Colonies and other countries?

*MR. RAIKES: It would, I believe, be contrary to precedent to publish to the world the instructions given to the British delegates at Vienna while the Conference is in session; and it would certainly be highly inconvenient to our Representatives in conducting negotiations to adopt such a course. I can only say, therefore, that the question of reducing postage rates has certainly not been lost sight of in framing their Instructions.

BARON CLEMENT J. P. PEN DE BODE.

MR. R. G. WEBSTER (St. Pancras, E.): I beg to ask the First Lord of the Treasury with reference to the answer of the Lords Commissioners of Her Majesty's Treasury, dated 28th August 1890, to the Memorial of the representatives of the late Baron Clement Joseph Philippe Pen de Bode, praying for compensation for the confiscation of certain estates by the French Revolutionary Government in 1793, whether the claim preferred by the late Baron for such compensation had been defeated on purely technical grounds, and whether that claim had been in 1852 earnestly recommended by a Select Committee of the House of Lords to the favourable consideration of that House as a case of "great hardship and injustice," and had been from time to time supported by a large number of influential Members of both Houses of Parliament; and whether, having regard to the fact that a large surplus of the money paid by the French Government for the satisfaction of these claims had remained in the hands of the British Government, and been devoted to other purposes, the Lords Commissioners of Her Majesty's Treasury would, in the event of the strong moral claim of the late Baron's representatives for such compensation being established to their satisfaction, consider the justice of making them some grant, as compensation for the very heavy loss they had sustained mainly through an erroneous decision of the Commissioners originally appointed to investigate these claims?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The full answers to the questions raised by my hon. Friend are too long for me to give now, but I can briefly say the claim preferred by the late Baron was not defeated on purely technical grounds. The question is one that has often been brought before the House; but the answers given have always been the same, namely, that Her Majesty's Government deny both the justice of the claim and the possession of means for meeting it, and have always invited the production of proof. The Treasury have no power to make any grant to the late Baron's representatives, as Parliament alone can make it. If the hon. Member wishes it, I shall be very glad to show him a Memorandum which deals fully with all the points he raises.

MR. R. G. WEBSTER: Does the right hon. Gentleman invite the representatives of the late Baron to give proof of their claim?

*MR. W. H. SMITH: The Courts are open to the representatives of the late Baron de Bode if they have any legal claim to assert.

THE *HANSARD* CONTRACT.

MR. A. A. BAUMANN (for Mr. WOOTTON ISAACSON): I beg to ask the First Lord of the Treasury whether, in view of the termination of the *Hansard* Contract at the close of the present Session, any decision has been come to as to the arrangements for the future reporting of

the Proceedings of Parliament; whether he is aware of the opinion held by the reporting profession that the two elements in the contract, *i.e.* that of reporting and that of printing and publishing, are distinct, and should form the subjects of separate contracts; whether he will appoint a small Departmental Committee to consider the working of the contract now expiring; and whether, before Vote 23 of the Civil Service Estimates, Class II., is taken, he will be prepared to announce the terms of the new contract for which tenders will be invited?

SIR H. MAXWELL (for Mr. JACKSON): It was stated in Committee of Supply that notice would be given to terminate the contracts and fresh tenders invited, and this will be done. I have heard of the opinion referred to in the second paragraph of the hon. Member's question, that the reporting and printing and publishing should form subjects of separate contracts, but I entirely disagree with it. As the whole question was considered by a Joint Committee of the two Houses only a few years ago, on whose Report the conditions of the present contract were based, I see no object in appointing a Departmental Committee to consider the subject. The conditions proposed for the new contract are now under consideration.

FREE EDUCATION.

MR. SUMMERS (Huddersfield): I beg to ask the First Lord of the Treasury whether the Government will consider the advisability of taking advantage of the introduction of a Free Education Bill entirely to dissociate education from all connection with the administration of the Poor Law, by repealing not only the clause of the Education Act of 1876 which compels parents of children whose fees are remitted in voluntary schools to appear before the Boards of Guardians, but also that section of the same Act which provides that the educational authority in a parish outside the jurisdiction of a School Board shall be appointed by the Guardians of the Union comprising such parish? I also beg to ask the First Lord of the Treasury whether his attention has been called to the following statement in the last Report of the Committee of Council on Education:—

"We are sorry to find, on examining the school Returns, that the education of so many children of 10 years of age and upwards is discontinued as soon as, by passing the prescribed standard, they are freed from the obligation to attend school and become entitled to go to work. Out of 481,106 children presented in Standard IV. in 1888 as many as 167,742 disappeared from the examination lists of our schools in 1889, while the 309,388 scholars in Standard V. of 1888 fell in the year to 138,864, and the 127,863 scholars in Standard VI. to 38,362";

and whether, in view of these facts and figures, the Government will consider the advisability of freeing all the standards, and especially the higher standards, from the payment of fees?

*MR. W. H. SMITH: The hon. Member's questions seek to anticipate the announcement which will be made upon the introduction of the Education Bill, and I must ask him to exercise a little patience for a few days.

THE LABOUR COMMISSION.

MR. O. V. MORGAN (Battersea): I beg to ask the First Lord of the Treasury if he is now in a position to answer his question, whether, in consequence of the great interest felt throughout the country in the question of labour, he will arrange that Members of Parliament shall be regularly supplied with *verbatim* reports of the evidence to be given before the Labour Commission; and whether he will also arrange that the public may be able to purchase copies of the evidence in the same way as Parliamentary Papers are usually supplied?

THE MARQUESS OF HARTINGTON (Lancashire, Rossendale): My right hon. Friend has asked me to reply to this question. I will consult the Commission as to the hon. Member's question, but perhaps I may be allowed to state my own opinion. I have no doubt the Commission will be willing and anxious to report the evidence which they receive at short and convenient intervals; but if the hon. Member means that the Commission should publish *verbatim* reports from day to day, and communicate them to Members of Parliament as Parliamentary Papers, I think that would be an extremely inconvenient course, and one which I could not recommend.

COLONISATION.

MR. SETON-KARR (St. Helen's): I beg to ask the First Lord of the Treasury whether the Government propose to increase the grant to the Emigrants' Information Office, as recommended in the Report of the Colonisation Committee; and, if no decision on the subject has yet been arrived at, whether, in view of the above recommendation, the Government are prepared to give the subject their early and favourable attention?

SIR H. MAXWELL: The question of increasing the grant to the Emigrants' Information Office is now receiving the most careful consideration of the Treasury and of the Colonial Office.

THE CATTLE TRADE BETWEEN IRELAND AND GLASGOW.

COLONEL WARING (Down, N.), for Mr. PARKER SMITH (Lanark, Partick): I beg to ask the President of the Board of Agriculture whether his attention has been drawn to the great sufferings undergone by cattle in their steamer passage from Ireland to the Clyde ports; whether it is a common occurrence, in the steamers engaged in this traffic, for cattle to be smothered and trampled on, or to have their backs and legs broken, besides suffering minor injuries, which involve great torture to the animals and much injury to their meat and hides; and in particular, whether the cases described in the last Report of the Glasgow and West of Scotland Society for the Prevention of Cruelty to Animals, with respect to which he has been supplied with names and particulars, are correctly stated; whether in February, 1889, a Memorial was presented to the Irish Privy Council by the master fleshers of Glasgow, calling attention to the condition in which cattle brought to the Port of Glasgow by the Irish steamers arrive, and stating

"That in many cases the animals die on the voyage in consequence of being trampled upon or gored by their companions, and even when the animals arrive at the Port of Glasgow they are so bruised by having to pass through too narrow hatches when being shipped or landed, and by falls, goring, or other calamities, that they are quite unfit for human food when slaughtered";

whether the statements of this Memorial are correct, and whether the state of matters continues practically unchanged since the date of this Memorial; and whether he is prepared to recommend the enforcement in regard to these boats of the regulations in force for the Transatlantic traffic, or to take other steps for diminishing this evil?

MR. CHAPLIN: I am afraid it is the case that cattle suffer considerably during their voyage from Ireland to Great Britain, especially in heavy weather. But the Board of Agriculture have no reason to believe that it is a common occurrence for cattle to be smothered or trampled on, or to have their backs and legs broken on the passage from Ireland to England. With regard to the specific cases referred to in the Report of the Glasgow and West of Scotland Society for the Prevention of Cruelty to Animals, inquiries are now being made by my directions, but I am unable to say at present whether the statements made are correct. The statements referred to in the Memorial presented to the Irish Privy Council in February, 1889, so far as the Board of Agriculture are aware, are incorrect; and although serious, and sometimes fatal, cases occasionally occur, I am informed that they are very rare, and that more suffering and more injury are caused by the way in which the animals gore each other with their horns than by any other means. As a matter of fact, the same regulations as for the Transatlantic traffic are in force at this moment, but the conditions under which the Irish traffic and the Atlantic traffic are conducted are so different that I could not undertake on all occasions that they should be identical, nor would it indeed be always desirable. I am, however, inquiring carefully into the whole question of the Irish cattle traffic, and every effort will be made by the Board of Agriculture to diminish as far as possible the sufferings of cattle coming to England from Ireland.

THE COURSE OF BUSINESS.

SIR W. HARCOURT (Derby): Perhaps the First Lord of the Treasury would now find it convenient to make a statement as to the general course of business?

*MR. W. H. SMITH: I am not in a position to make a statement as to the general course of business, but I think I can satisfy the House as to what the

business will be during the next 10 days or fortnight. As the House is aware, the Government are not under any immediate necessity to ask the House for further facilities, because the House has already ordered that the Land Purchase Bill shall have precedence of all other business on Mondays, Tuesdays, Thursdays, and Fridays. It is not the intention of the Government to ask for Wednesdays at present. Having regard to the fact that there are certain Bills promoted by hon. Gentlemen which are in various stages of progress, it would be perhaps a little hard upon them that we should take the one, two, or possibly three Wednesdays which would give them an opportunity of passing those Bills into law. There is one statement which I think I must renew, and that is that the Government feel that they are still bound by the engagement they made early in the Session to make every effort to bring about the Prorogation at the end of the month of July. In those efforts I am certain we shall have the assistance of the House to carry out that engagement, for it is one which concerns hon. Members in all parts of the House quite as much as it concerns the Government. My right hon. Friend the Chancellor of the Exchequer stated the other day, in answer to the right hon. Member for Wolverhampton, that I should to-day name the day on which we propose to take the First Reading of the new Education Bill. I had hoped that it might have been possible to get through the Report stage of the Land Purchase Bill before it became necessary to take up any other business, and I still remain of opinion that we should part substantially with that measure before we enter upon another important subject; but I recognise the just and legitimate desire on the part of the House to know definitely when the Education Bill is to be introduced, and the Government, therefore, propose to take the First Reading of that measure on Monday next. There is one other matter for which the right hon. Member for Derby has desired a day, and that is the Motion on the Manipur occurrences. I observe he has not renewed the notice of his Motion on the Paper.

SIR W. HARCOURT: That was pending your statement on the course of business.

*MR. W. H. SMITH: I concluded that was so, but I think it would be convenient that it should appear on the Paper. Although I am not able to name a precise day, I think it should follow on the next day after the Report stage of the Land Purchase Bill has been disposed of, if that arrangement is satisfactory to him. I may simply mention that, as soon as it is necessary, I shall ask the House to continue the appropriation of the whole of the Tuesday and Friday Sittings for Government business. I think it will be felt that Tuesday and Friday evenings are no longer necessary for private Members' business, and, on the other hand, it will greatly facilitate the progress of the business of the House if we are able to enter upon Government Business at 3 o'clock and continue until 12 without interruption. Taking into account the Bills that have passed through the Standing Committees, and including the Scotch Private Bill Procedure Bill, and the Clergy Discipline Bill, which has come down from the House of Lords, and in which the right hon. Member for Mid Lothian has expressed a strong interest, I still retain the opinion that the measures before the House may be disposed of, that ample time for the consideration of Supply may be given, and yet we may secure the Prorogation before the end of July.

*MR. F. S. POWELL (Wigan): Is the First Lord of the Treasury able to make any announcement respecting the Factories Bill?

*MR. W. H. SMITH: I cannot say anything with regard to that until the Motion as to Manipur is disposed of.

MR. ROBY (Lancashire, S.E., Eccles): May I ask if the First Lord of the Treasury will kindly consider the possibility of not taking to-morrow week. I have succeeded in getting the first place on that day for a question of very great interest to hon. Members on both sides —*i.e.*, the Mines (Eight Hours) Bill?

*MR. W. H. SMITH: I have the greatest sympathy with the hon. Gentleman. I greatly desire that the eight hours mining question should be considered; but I am afraid that under the arrangements of the House, as they at present stand, next Tuesday will not be open to the hon. Member. If he will mention the matter again I will see what can be done.

DR. CAMERON: When may we expect to have information regarding the manner in which the Government propose to allocate Scotland's share of the money, the English portion of which is to be given to free education? At present we know nothing.

*MR. W. H. SMITH: I am not surprised that the hon. Member has no information with regard to a measure which is not to be introduced till Monday next.

DR. CAMERON: Are we to understand that the Bill will provide for the allocation of Scotland's portion of the money?

*MR. W. H. SMITH: There will be no provisions in the Education Bill itself as to Ireland and Scotland, but an indication of the intentions of the Government with respect to those countries will be given when the Bill is introduced.

MR. CAUSTON (Southwark, W.): Will the Education Bill be circulated amongst Members the day after its introduction?

*MR. W. H. SMITH: Yes, Sir.

*MR. T. W. RUSSELL (Tyrone, S.): When do the Government propose to deal with the Registration of Assurances Bill? Will they consent to refer it to a Select Committee?

SIR W. HARCOURT: Before that question is answered may I say that the arrangements the right hon. Gentleman has proposed seem to be satisfactory. I understand that as soon as the Report stage of the Land Bill is concluded he will give a day for the Manipur Debate. Will the right hon. Gentleman tell us what will be the business for the next fortnight? He said nothing as to beyond next Monday, and I suppose we may take it for granted that the rest of the week will be principally devoted to Supply. I also gathered from the right hon. Gentleman that if the Irish Land Bill Report is concluded this week, as I hope it may be, he would not stand in the way of the Motion of my hon. Friend the Member for Eccles. [*Ministerial cries of* "No."] I would rather take the answer from the right hon. Gentleman than from hon. Gentlemen who sit on the third Bench opposite. I understood that he would entertain a proposal not to take Tuesday away with reference to the Eight Hours Mining Bill, which, of course, is a question of great importance, and which interests everybody in and out of the House. At all events, I hope he will tell us what he expects to occupy the main part of next week.

*MR. W. H. SMITH: I am very glad to hear from the right hon. Gentleman that he has reason to hope that the Land Purchase Bill will be through Report this week. That is a very satisfactory intimation from him, because I know it is an intimation in the fulfilment of which he has very considerable power. In the event of the Manipur Debate being taken at 3 o'clock on Friday, which is the suggestion of the right hon. Gentleman—I can hardly suppose that the Land Purchase Bill will be through Report before Thursday—we should proceed with the Education Bill on Monday, and then with the Bills from the Standing Committees that have to go before the House of Lords, beginning with the Public Health Bill, followed by the Factories Bill. In answer to the question of the hon. Member for Eccles, I think I stated that if he would renew his request I would take care to give it consideration. I could not come to any engagement. I recognise that the matter is one of very great importance, and I have always said I should be exceedingly glad to have it discussed.

SIR W. HARCOURT: What about Supply? The right hon. Gentleman did not say a word about that.

*MR. W. H. SMITH: I referred to it in my first statement. It is, however, a matter of great importance that we should get on with the Bills I have mentioned before we proceed with Supply. Any opportunity we may find to proceed with Supply will be availed of.

*MR. T. W. RUSSELL: Perhaps the Attorney General for Ireland can now reply to my question?

MR. MADDEN: I think that, having regard to the important questions which are raised by the Bill, the course my hon. Friend suggests would, perhaps, be a desirable one, but I cannot make any definite statement without consulting my right hon. Friends the First Lord of the Treasury and the Chief Secretary.

MR. SEXTON: I am sorry the Chief Secretary has just left the House, because I wish to put to him two questions of some importance. In the absence of the right hon. Gentleman I will put the

questions to the Attorney General for Ireland, who may, perhaps, be able to give me an answer. The first question has an important bearing on the time likely to be occupied by the Land Purchase Bill: it is, whether the Government intend to accept the Amendment which has gone through Committee, and now stands in the name of the hon. Member for South Derry (Mr. Lea)—an Amendment which revolutionises the constitution of the Land Commission and separates that subject from the Land Department Bill, because if that Amendment is accepted, I calculate it will add a week to the time occupied by the Report stage of the Bill. The second question relates to the long leaseholders clause of the Land Department (Ireland) Bill. I presume that after the statement of the First Lord of the Treasury I may conclude that the Land Department Bill is abandoned for the present Session. The Chief Secretary stated on Friday that if there were a general desire that the long leaseholders clause should be introduced as a separate measure he would consider the point. I have made inquiry, and I find that the introduction of the long leaseholders clause, as a separate Bill, would be favourably regarded by Irish Members on this side of the House. Under these circumstances, I beg to ask if the Government will introduce that clause as an independent Bill.

MR. R. G. WEBSTER: May I ask whether the First Lord of the Treasury is aware that in proposing a 3 o'clock Sitting for Tuesday he is virtually taking away all opportunity of discussing the system under which illiterate voters vote under the Ballot Act?

*MR. W. H. SMITH: The hon. Member has overlooked the fact that the House has ordered a 3 o'clock Sitting for the consideration of the Land Purchase Bill, and, therefore, it is not my act. The question the hon. Gentleman desires to raise is an important one, and he will doubtless find an opportunity of raising it.

Mr. A. J. BALFOUR having returned, Mr. SEXTON repeated his former question.

MR. A. J. BALFOUR: With regard to the second question put to me, if I find, from inquiries I am able to make from gentlemen in other parts of the House, that the proposed Bill which the hon. Member for South Belfast has suggested will meet with equal favour from them as the hon. Member assures me it will meet with from his friends, I, of course, would be glad to introduce it and carry out the pledge I have often given to the hon. Member for South Derry, that I would do what I could to settle this question. With regard to the first question raised by the hon. Gentleman, that again merely has reference to an Amendment on the Paper in the name of the hon. Member for South Derry. Of course, it is rather premature, until I have heard the Debate, to state positively the course the Government are going to pursue; but as the hon. Member has pointed out, the Amendment is substantially identical with a provision contained in my own Land Department Bill. I look upon it with favour, and, as at present advised, I think its addition to the present Bill would be a great improvement.

MR. SEXTON: Considering the time of the Session, will the right hon. Gentleman consult with his Colleagues and see whether it is desirable to separate from the Land Department a provision which has nothing to do with the Land Purchase Bill?

MR. A. J. BALFOUR: I do not agree with the observations of the hon. Gentleman. I think it has a great deal to do with land purchase, and that it will greatly improve the working of the machinery by which land purchase is to be carried out.

MR. M. J. KENNY: Will the right hon. Gentleman consider the fact that the Amendment standing in the name of the Member for South Derry practically incorporates the first ten sections of the Land Department Bill?

MR. A. J. BALFOUR: Of course, it is perfectly true that the Amendment standing in the name of the hon. Member for South Derry does not cover the whole of the ground covered in the Land Department Bill; but it does embody a portion of those provisions, and, I think, a very valuable and important portion. It would not be possible for us to introduce the whole of the provisions on this subject contained in the Land Department Bill, but that portion of it that is

embodied in the Amendment may with advantage be incorporated in the Land Purchase Bill.

MR. SEXTON: Will the right hon. Gentleman, in dealing with this subject, be good enough to bear in mind that the hon. Member for South Derry, by withdrawing his Amendment from the consideration of the Committee, has deprived Members of the House of their constitutional right to discuss the matter in Committee?

MR. HENEAGE (Great Grimsby): Will the Home Secretary state what course he intends to take with regard to the Juvenile Offenders Bill? Does he still propose to refer it to the Standing Committee on Law?

MR. MATTHEWS: I think that would be the best and most convenient course, and if I have an opportunity I shall move to take it.

SIR G. CAMPBELL (Kirkcaldy, &c.): I should like to ask the Under Secretary for India whether the State trials in Manipur are likely to be terminated and reported on within the next few days, and in time for the Debate?

SIR J. GORST: I must ask for notice of the question.

LICENSED HOUSES (ENGLAND AND WALES).

Address for—

"Return showing the total number of Public Houses licensed for the sale of Beer, or Beer and Wine, to be consumed 'on' the premises in England and Wales, and the total number in each county and borough (the Return to be confined to Public Houses licensed for the sale of Beer, or Beer and Wine, to be consumed 'on' the premises, which were licensed prior to the 1st day of May 1869.")—(*Mr. Forrest Fulton.*)

PUBLIC ACCOUNTS AND CHARGES [PAYMENTS].

Committee to consider of authorising the payment, out of moneys to be provided by Parliament, and so far as those moneys are insufficient, out of the Consolidated Fund, of any sums lent by the National Debt Commissioners for the commutation of annuities under "The Light Railways (Ireland) Act, 1889," in pursuance of any Act of the present Session, and to amend certain provisions of the Law with respect to money charged on or payable out of the Consolidated Fund, and with respect to Public Accounts (Queen's Recommendation signified), To-morrow.—(*Mr. Jackson.*)

Mr. A. J. Balfour

MARRIAGE ACTS AMENDMENT BILL [LORDS].

Read the first time; to be read a second time upon Monday next, and to be printed. [Bill 348.]

NEW MEMBER SWORN.

Herbert Samuel Leon, esquire, for the County of Buckingham (Northern or Buckingham Division).

ORDERS OF THE DAY.

SEAL FISHERY (BEHRING SEA) BILL.

(No. 345.)

SECOND READING.

Order for Second Reading read.

*(5.45.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I wish to draw the attention of the House to a question of some urgency. The House is no doubt aware that there have been points of difference between Her Majesty's Government and the Government of the United States with reference to the Behring Sea fisheries, and that claims have been advanced by the United States which have led to some dispute. It is the desire of Her Majesty's Government that a settlement of an amicable character should be arrived at, although it is impossible for the Government to concur in the claims made by the United States to undisputed possession of the rights of fishing in Behring Sea. I refer to this question in order to indicate generally the reasons which have induced Her Majesty's Government to ask for powers from Parliament under this Bill. A desire has been expressed that the question should be settled by arbitration, and I feel sure that hon. Members in all parts of the House will infinitely prefer that the matter, in which a serious difference of opinion has arisen between the two Governments, should be settled by friendly arbitration rather than by resort to a more barbarous course. We have had communications both with the United States Government and the Government of Canada with the view of arriving at an arrangement by which this question might be settled by means of friendly arbitration. There has been delay in submitting the question to the consideration of

Parliament, and that delay has been due to difficulties which I am sure gentlemen who have had any experience must be aware accompany anything like a tripartite negotiation. The delay has been increased by the painful and lamentable circumstances under which the Government of Canada are at the present moment placed. The Prime Minister of Canada is a man who, whatever may be the views which individuals may take of his Party conduct in the past, has earned the respect and the admiration of people of all Parties who have any knowledge whatever of the services which he has rendered to the Dominion and to the Empire at large. There can be but one feeling of deep sorrow that that life, which has been so valuable to Canada, seems now about to come to an end. But the circumstances under which the Government of Canada have been placed during the last two or three weeks have been circumstances of extreme difficulty, and the consent which Her Majesty's Government have received to the proposals which we are now about to make only reached us late last week, in time for the notice which I gave on Thursday in this House. The consent of the Dominion Government is subject to certain conditions, which, as far as the Government are concerned, appear to us to be very reasonable. They say it is reasonable that a ship under the British flag for lawful fishing, as we hold, in the Behring Sea should be compensated for any loss sustained by reason of the prohibition under the proposed Order in Council. We accept that proposal in principle, but it must be remarked that under the Bill which I now place before the House, sealing will not be prohibited in all seas, but simply in the Behring Sea, and the effect will be that there will be a greatly diminished catch of seals, and consequently a great increase of price for sealskins obtained outside the Behring Sea. The proposal is to prohibit sealing north of the Aleutian Island in the Behring Sea, and leave the seal fishery perfectly open to all ships south of those islands and outside the Behring Sea. The prohibition will be simply for a limited time, in order that a sufficient, and no more than a sufficient, period should have elapsed during which it may be possible for the arbitrators to make inquiries as to the necessity for a close time for the seal species, and to make their award or awards. That period, as has been shown by the Papers which have been placed in the Vote Office this afternoon, is named by Mr. Blaine himself as a period extending from May 1, 1892, within which period the arbitrators shall render a final award or awards to their respective Governments. One of the conditions on which the United States Government have insisted is that 7,500 seals should be taken on the Aleutian Islands for the use of the natives who are employed there. Her Majesty's Government at first greatly objected to that proposal, but when we came to examine it more carefully we were obliged to admit that it was reasonable, and it is a condition from which we are now unable to depart. The catch up to a recent period has been as high as 60,000, and it is shown by the Papers now in the possession of the House that the average for the last 20 years on those Islands has been upwards of 90,000 seals per annum. This shows that the United States Government are prepared to make a considerable sacrifice in their endeavour to avert what they believe to be a very serious calamity. Her Majesty's Government do not propose that the Order in Council shall be issued unless Russia also consents to the entire prohibition of seal catching in the Behring Sea. The amount of compensation to be given will be ascertained by a Commission and a careful inquiry on the spot. The arrangements for such a Commission have not yet been completed, but we have reason to hope that Canada will give her assistance in framing proper regulations, and that she will contribute to compensation, the object being the settlement of a question in which she is quite as much interested as we in this country. I do not urge the House to accept this Bill on the ground of absolute right or justice, but on the ground that it is a friendly act towards a friendly Power. We cannot but acknowledge that the claims put forward by the United States are founded on absolute justice, and I am sure no Member of this House would contemplate a misunderstanding with the United States without very great regret and sorrow. Unless the Government can obtain satisfactory conditions, we

shall certainly not issue the Order in Council.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. W. H. Smith.*)

(5.57.) SIR W. HARCOURT (Derby): I think the House will have heard with great satisfaction the statement of the right hon. Gentleman with regard to what appears to be a wise and prudent settlement of a very difficult question. The right hon. Gentleman may be quite sure that from this side of the House he will always receive support for any proposals to settle by arbitration questions of this character. It would be a scandal to our times if a question like that of the seal fishery should result in a settlement by force. Indeed, it seems to be a question which, above all others, lends itself to such a solution as that which is about to be adopted. Therefore I have nothing to say, except that we hear with great satisfaction that that course is to be taken for the settlement of this question with the United States. It is also satisfactory to know that the Dominion of Canada is a consenting party to these arrangements, for that seems to be an absolutely essential condition in this matter. I do not enter into smaller details as to compensation. Those are subordinate questions altogether in the settlement of so large a question as this. I desire to associate myself, as will most Members of this House, with the language the right hon. Gentleman has used in reference to the misfortune which has befallen Canada through what I fear I must call the fatal illness of Sir John Macdonald. I hope the Government will receive support from both sides of the House in carrying out this proposal, which I entirely and heartily support.

*(5.59.) MR. A. STAVELEY HILL (Staffordshire, Kingswinford): I am very glad indeed to hear for the first time that the Dominion of Canada assents to this proposal, because we should have very great difficulty in accepting it unless we knew that the Canadian Government was also a willing party. I join in the regret that has been expressed by the right hon. Gentleman with regard to the fatal illness of Sir John Macdonald. As one who has known him for many years, I believe no heavier loss could fall on the great Dominion, of which he is so entirely the embodiment, than that she should lose his wise counsels at the present crisis. And the loss is only less to us who hoped that, after perhaps one or two more busy years, he would take his place in English society, which he was so well qualified to adorn. Two questions suggest themselves as deserving a few words, and the first of these has reference to the question of compensation. I have received from Victoria, British Columbia, a communication in which the consideration of this question is strongly impressed upon me by one of the principal firms engaged in the seal trade, in which they represent that the vessels have been fitted out for the season, that a heavy outlay has been incurred, and that a ruinous loss will be the result if the trade is prohibited without due notice. Of course, this question will have to be considered, and what I would press upon the Under Secretary for Foreign Affairs is that he should tell us the mode in which this compensation is to be dealt with. The average catch of each vessel inside the Behring Sea must be considered. I do not quite agree with the right hon. Gentleman as to the diminution in the number of seals. I am aware that Mr. Elliot speaks of the diminution of the number of seals, but I made this the subject of careful inquiry when I was in British Columbia last year; and I believe that at the present time these have passed along the Pacific headlands, and that when the usual time comes round there will be found in the Behring Sea more seals than ever there were before. Last year the catch was small in consequence of the continual fog and bad weather, but I heard on all hands that the number of seals seen in the sea was greater than was ever known. Although the diminution in the number of the seals is the alleged ground for this agreement, I do not believe that it is the real ground. The Pribyloff Islands, in the Behring Sea, have been let by the United States to a commercial company at a larger price than the company can afford to pay unless the supply of sealskins in the market is diminished, and this is the real ground for the proposed suspension of sealing. I do not object to a close time, and I

regret that a close time should not apply outside the Behring Sea. The seals go south about the month of October, but they are about this time travelling north at the rate of about 10 or 12 knots an hour to get on shore on the islands in the Behring Sea, and the slaughter to be prevented is that on the islands. The killing, if it is to be stopped, should be stopped inside and outside the Behring Sea, so that no sealskins should go into the market. I confess I do not quite see how the Pribyloff Islands are to be watched, and I am sure a great deal of watching will be required to prevent the smuggling of sealskins. The seals coming north land in great numbers on the coast of British Columbia and the Queen Charlotte Islands, the cows in calf being ready to bring forth their young. I venture to say here that my words may be placed on record that the wish of all sealers in British Columbia is that there should be a close time for all sealing, and that no seals should be killed between the 1st of October and the 30th of June. The time for killing seals should be the months of July, August, and September. I sincerely trust that the arbitration may result in a satisfactory arrangement.

(6.10.) MR. J. CHAMBERLAIN (Birmingham, W.): I most heartily approve the general principle on which Her Majesty's Government have endeavoured to deal with this very difficult question, but there are one or two points on which it would be well to have a little further information. In the first place, I understood the right hon. Gentleman to say that the Government believe that the assent of three nations only is necessary to these proceedings, the three nations being Great Britain, the United States, and Russia. But when I was in the United States I gathered that another flag had appeared in the Behring Sea—the German Flag—and it would be well for the Government to find out whether there is not another maritime nation equally interested in this matter. I am not quite certain whether I correctly understood the First Lord of the Treasury when he declared the nature of the arbitration which is to be undertaken during the period covered by the close time. There are to be 12 months in which seals are not to be taken, and this period is to be utilised for the arbitration. But did the right hon. Gentleman say that the subject for arbitration was agreed upon, and that that subject was the precautions to be taken to secure the continued existence of the seal? If that is so, I suppose the American Government have withdrawn those very startling claims which seemed to involve a claim for almost exclusive jurisdiction in the great ocean known as Behring Sea. Are we now clear of that demand or claim on the part of the United States, and is the arbitration to be confined to the purely commercial and scientific question of the precautions to be taken for the preservation of the seal? Compensation is, after all, a minor point; but, as usual, it is the purse of Great Britain that is expected to bear the burden. I think our position is rather a hard one. The hon. Member for Staffordshire said that Canada had as much interest in this matter as we have. I should say, on the contrary, that Canada has the whole interest, or, rather, that she shares it with the United States. Our interests in the matter are only those of general peace. I protest altogether against the suggestion made by my hon. and learned Friend as to the basis on which compensation is to be paid. If a claim for compensation is to be considered, I hope that it will be most closely looked into, because I happen to know that many of these vessels who will claim compensation are really American vessels, furnished with American money, and, though to some extent manned by Canadians, almost entirely an American interest. They are merely worked under the British Flag against the claims of the United States Government. The position is rather a hard one for this country. Taking the three parties to these negotiations, the United States have sufficiently protected their interests. They will have no compensation to pay, because they have arranged that no fewer than 7,500 seals shall be taken by their company, thereby rendering compensation unnecessary. The Canadian Government have not, it appears, absolutely agreed to join us in compensation, though I think that they ought to pay a large proportion of whatever is paid. But I also think that when the subject comes to be carefully examined the amount of compensation to which these people are justly

entitled will be found to be excessively small. I hope that nothing at all will be paid unless it can be clearly shown that the ownership of the vessel is a British interest. In sitting down, knowing personally Sir John Macdonald, I desire to join in the general expression of opinion from both sides of the House as to the international loss which his death would involve.

*(6.18.) MR. G. OSBORNE MORGAN (Denbighshire, E.): I hope there will be a general agreement to the Second Reading of the Bill. In the general principle I agree, but there are one or two points upon which I should like to have a little information. The question of compensation my right hon. Friend has alluded to as a minor point, but it is a minor point of very considerable importance. The Papers published do not throw any light upon the question, because they consist almost solely of correspondence between Her Majesty's Government and the Government of the United States. I should like to know by whom is this compensation to be paid? The right hon. Gentleman said nothing about that. No doubt Canada will get the chief benefit of the agreement, but in what way is the compensation to be paid? The Bill says nothing about it. The right hon. Gentleman has spoken of a Commission, and I presume he meant a Joint Commission of the Home and Canadian Governments. Before we pass from the subject, it would be well, I think, that we should have some light thrown upon the possible obligations which the measure may involve. Perhaps the Under Secretary for Foreign Affairs will tell us by whom this compensation is to be paid, and the mode in which it is to be assessed?

(6.20.) SIR G. BADEN-POWELL (Liverpool, Kirkdale): I cordially approve of the Bill, and hope it is a step in the right direction for carrying out the suggestion made by the President of the United States in 1888—a first step in the direction of establishing in the North Pacific, for the sake of the seals, a sort of international administration of all the Powers interested. I should like to hear that when the arbitration takes place, the same course will be pursued as was adopted in the case of the North Sea Fisheries Convention, and that a clause will be agreed to by the nations parties to the Convention, regarding it as an unfriendly act for other Powers sending or permitting their vessels to fish there, and not agreeing to the Convention. The suggestion of my hon. and learned Friend that the Bill should apply to the waters of the Pacific outside Behring Sea does not seem to be important, inasmuch as the seals are already well up towards the hauling-out grounds, and the Bill will not affect seals outside Behring Sea. I should like to know, however, what is to become of the seals killed on the islands belonging to Russia, because that is a very important matter? Are they to be brought within the arrangement? I may be allowed to add my word of deep regret at the severe illness of Sir John Macdonald, and my hope that there may yet be spared the life of one who has done so much for Canada and the Empire.

SIR G. CAMPBELL (Kirkcaldy, &c.): I acquiesce in the Second Reading of the Bill. I have every confidence in the foreign administration of the Government, and I trust a *modus vivendi* will be agreed upon, under arbitration, which we shall be glad to see applied to this and other questions. So far as anything in the Bill is concerned, I have not a word to say; but in regard to the question of compensation, I must reserve my liberty of action. What I desired to say upon this point has been said by the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain). We are not to consider ourselves bound, in assenting to the Second Reading of this Bill, to accept anything beyond what is contained in the Bill. We are not binding ourselves to accept the principle that compensation shall be paid by the British taxpayer. I have not the least objection to the principle of compensation. It may be a minor matter, but it involves a principle which has been much abused by making the British taxpayer pay to get out of all sorts of difficulties, and especially has this been the case in relation to our self-governing colonies. As the right hon. Gentleman the Member for West Birmingham has said, it is the interest of Canada that is chiefly concerned. So far as this country is concerned, we might let the whole thing go. We act, however, in the interest of Canada and in the interest of peace.

There was a somewhat equivocal expression used by the First Lord in relation to this question of compensation. He said we accepted the principle, and he hoped that Canada would contribute towards it. Now, the right hon. Gentleman the Member for West Birmingham has rightly put it the other way—that if there is a question of compensation, it should primarily be paid by Canada; and if we should contribute towards it, it is quite another thing to going hat in hand to Canada asking for a Canadian contribution. Therefore, I protest against the idea that, by reading the Bill a second time, we are assenting to the principle that compensation is to be paid by the British taxpayer.

(6.25.) MR. BRYCE (Aberdeen, S.): We understand from the statement of the First Lord of the Treasury that this Bill is one which is not intended to deal in any way with the general question raised between this country and the United States, but is merely to establish a *modus vivendi* till next year, and, meantime, inquiries will be made and arbitration proceedings will be going on. I have, therefore, no intention of discussing the general question; but I may say in passing, having read all the Papers, that we on this side of the House have no objection to make to the way in which the Foreign Office has sustained the rights of this country and Canada in this matter. Throughout the negotiations, sometimes very difficult in their nature, the Foreign Office has maintained a clear and firm attitude. The judgment, firmness, and masterly grasp of the facts and principles involved which have been shown by Sir Julian Pauncefote at Washington are entitled to the very highest praise, and are such as everybody who knows his great abilities expected from him. I may say that this question is considered of less practical importance in the United States, than from reading American newspapers, one might suppose. Those who have had personal experience in the States will agree with me that the question of the rights of the United States in Behring Sea is one that presents great difficulty; and a very large number of leading juridical authorities in America—indeed, the majority of them—differ entirely from the line taken by the Secretary of State there, and express their view that his leading contention is wrong. This, no doubt, has had value and weight in calming the attitude of public opinion in America. It should also be remembered that in this matter the contention maintained has been not so much in the interest of Canadian shipowners as of American owners sailing their vessels under the British Flag. I was in British Columbia last autumn, and I did not ascertain that local feeling was very strong on the matter. I was informed there and in the United States that a considerable number of vessels were owned in San Francisco, and even manned by Americans, though sailing under the British Flag. That, however, makes no difference in the right of Canada, and our duty to sustain that right. This question has bearings and applications far beyond those which arise immediately under the Bill; and it is the duty of Her Majesty's Government to sustain the claim of Canada to absolute freedom in sailing and fishing and using the North Pacific and Behring Sea in every other way. The Bill has two objects—to prevent any collision that might arise between the crews of our vessels and American vessels or cruisers, and also to preserve the seals and to maintain this important branch of industry. In spite of what has been said by the hon. and learned Gentleman opposite, no one who has read the evidence bearing on the destruction of seal life can doubt that the case is very serious. Reports not only of the American Treasury agents, but also of Mr. Elliott, the scientific expert, and others, go to show that the number of seals has been very seriously diminished by the methods in which seal-hunting has been carried on; and there is considerable risk of the stock being diminished year by year until the trade disappears, unless a close time is established. The devastation wrought among the seals in earlier times, and when the appliances for the purpose were much less perfect than they are now, induced the Russian Government to absolutely prohibit the slaughter for a time, to enable the stock of seals to recover. I think a strong case might be made out for the intervention of all the Governments concerned. It appears also, from reports we have received, that an unusually large number

of the seals killed last season were females, and this is a fact of importance, showing the necessity of instituting a close time. I rather regret that the American Secretary of State should have insisted on the right to kill 7,500 seals on the Pribyloff Islands, because the evidence goes to show there ought to be a complete cessation of killing for a time; but, considering the importance of all the interests involved, Her Majesty's Government were not wrong in accepting this compromise. No doubt during the time the *modus vivendi* is in force, inquiries will be made which will result in the arrangement of a close time in the future, and I hope the Canadian Authorities will have every opportunity of stating their case. There are one or two questions that arise in relation to the Bill. It has been stated that Canada assents, and of course it would not be possible for us to proceed without the consent of the colony; but I should like to know whether Canada intends to legislate. I should also like to know whether the Order in Council is to be applied by British vessels, or legislative action is also to be taken by Canada; also what is the state of the negotiations with Russia. The right hon. Gentleman said it is intended not to issue an Order in Council until Russia agrees. I suppose the Under Secretary will be able to say how far the negotiations with that country, which had advanced some way in 1888, have progressed; and whether there is reason to believe that Russia will not only join in prohibiting the slaughter in the Behring Sea, but also stop it on her own Islands, because it must be remembered that if the killing of seals is prohibited in one place the price of sealskins will be raised, and so there will be an additional incentive to go on killing them elsewhere. I also hope that the Under Secretary for Foreign Affairs will give us some information with regard to the general character of the matters to be referred to arbitration between the United States and ourselves. I wish I could think with the right hon. Gentleman the Member for West Birmingham that the scientific question alone really remains to be settled. But as I understand the Papers, no conclusion has been arrived at as to what is to form the subject of arbitration in the matter of the claims of America generally. Mr. Blaine, I understand, still insists on the claims he has put forward as to the special rights of America in regard to the taking of seals. It is desirable that we should know what are the terms of the arbitration, and on what topics it is to take place; whether the arbitrators have been selected, or when they will be; also whether Her Majesty's Government have yet arrived at a conclusion about a close time. I think we must all feel that the application of the principle of arbitration to this case is a result of which not only we ourselves, but also the people of Canada and of the United States, have every reason to be glad; it is eminently a question for arbitration, because it is not one of disputed facts, but of law. So far as the United States is concerned, it is purely a question of law, and the question as to the preservation of the seals is one of scientific fact. It is just one of those questions to which the principle of arbitration can be applied. I am sure we all hope that the result will be to confirm good feeling between this country and the United States, whom both interest and sentiment induce us to regard as allies with whom we must always desire to be on terms of cordial friendship.

*(6.36.) THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Her Majesty's Government have every reason to be gratified by the reception which this Bill has met in this House, and especially gratified that there has been a general, agreement to refrain from recurring to those points of difference which have been so prominent during the long negotiations on this question. I will endeavour in a few words to reply to the questions which have been put to the Government, some of which, I think, were anticipated by the statement of the First Lord of the Treasury. The hon. Member for Staffordshire has said that he would be glad to know whether the consent of Canada has actually been given. There is no doubt that the Government of Canada has expressed its consent to the arrangement to which effect is proposed to be given by this Bill, only attaching two conditions—first, that there shall be compensation provided for those who will suffer by it; and, second, that the terms of the arbi-

tration shall be accepted by the United States Government. The communications with the Government of Canada have naturally been only semi-official owing to the present lamentable condition of the Premier of the colony, but the House may be quite sure that the interests of the British revenue will be carefully guarded by Her Majesty's Government. Her Majesty's Government must be responsible primarily, but there are conditions which must be considered on behalf of the British taxpayer before any settlement can be made with regard to compensation, and there are many elements which enter into the question. For instance, there is the question of the actual loss which may be sustained by British subjects, and the extent to which that loss may be recouped by successful fishing elsewhere. Those will be matters for consideration by the Commission.

*MR. G. OSBORNE MORGAN: May I ask whether there will be a Joint Commission?

*SIR J. FERGUSSON: That and other matters of detail have not yet been settled. The hon. Member for Staffordshire has expressed a doubt as to the actual diminution of seals. No doubt there is testimony that the number of seals swimming across the sea has not diminished, but, on the other hand, I agree with the hon. Member for Aberdeen that nobody can read the expert evidence that has been submitted to us without being convinced that there has been a very large diminution in the number of seals resorting to the Islands. In former years I unfortunately have had reason to become acquainted with the result of the enormous killing of seals in the Southern seas. From Islands to which seals used to resort in large numbers in years gone by they have now entirely disappeared, and we feel that, while we must be desirous to remove causes of international difficulty, we can not be insensible either to the damage done to an important article of commerce or to the enormous inhumanity of wholesale and unrestricted destruction of seal life. I will not notice particularly what the hon. Member for Staffordshire said as to the sinister motives that might be ascribed to the consent of the American Government. The American Government will lose fully £100,000 in the present year by the diminution of the take, as they have a lien of 10 dollars on every sealskin. No doubt, as has been suggested, it would be very desirable to have a more extensive close time, and that it should extend to the coast of British Columbia. That will, I think, in all probability, be one of the matters submitted to arbitration. The arbitrators will not only have to do with the legal rights under Treaty of this country and Canada and the United States, but also with the measures desirable to be taken for the preservation of seal life. The right hon. Gentleman the Member for West Birmingham has reminded us that another flag has appeared in the Behring Sea. That is a matter which will receive careful examination, and the consent of the German Government will, if necessary, be invited. The hon. Member for Aberdeen has asked how far negotiations with Russia have gone. Overtures have been made to the Russian Government; the reply has not yet been received; but there is good reason to suppose that the overtures will be favourably received and the consent of Russia obtained. In former years the Russian Government itself found it necessary on three occasions to stop the taking of seals altogether on the shores of the Behring Sea, on account of the enormous diminution of the seals caused by wholesale destruction; and we may fairly expect that the Russian Government will bear this fact in mind. With regard to the manner in which compensation is to be paid, I must reserve to the Government the consideration of those details, which must be considered in connection with the Order in Council. The hon. Member for Aberdeen justly recognised that the Bill is a temporary expedient to meet the mischievous effects of recent proceedings, pending the solution of the larger question involved. It is true that Her Majesty's Government assented with reluctance to the proposal of the American Government that the American sealers should take 7,500 seals in the present year. That, with some other matters of detail, we shall overlook. It is better that we should overlook some matters which we might wish different rather than imperil the success of a measure which will tend to remove the international difficulty and settle it for

all time on satisfactory grounds. Undoubtedly the degree of right that passed from Russia to the United States will be a matter for consideration by the arbitrators.

*MR. A. STAVELEY HILL: May I ask whether the right hon. Gentleman means that the matter involved in the action now pending before the Supreme Court of the United States will come before the arbitrators?

*SIR J. FERGUSSON: The case of the *H. P. Sayward* involves a question of law and has been instituted by a private individual. I draw a clear distinction between the international question and the question of municipal law which is involved in the seizure of the vessel in the case mentioned. The House must not understand that any official decision has been arrived at in respect to the matters to be referred to arbitration. The question is still the subject of correspondence between the two Governments, but they have been steadily approaching a point of agreement, and I believe that the reply that is about to be addressed to the United States Government will bring the two Governments so close together that a harmonious settlement of the matter at issue will be arrived at.

CAPTAIN BETHELL (York, E.R., Holderness): I hope that, whatever matters are submitted to arbitration, the interests of this country will be properly safeguarded. I trust that those matters in regard to which Lord Salisbury, in various despatches, seems to have had no doubt as to the rights of this country will not be submitted to arbitration. I doubt if they can be submitted to arbitration in the same sense as the question of a close time for seals can be submitted to arbitration. I think the statement of the right hon. Gentleman would have been more satisfactory if he had been able to say to the right hon. Gentleman the Member for West Birmingham and the Member for Aberdeen that the extraordinary claims of the United States will not be submitted to arbitration.

*MR. W. H. SMITH: I would assure my hon. and gallant Friend that the interests of this country will be most carefully safeguarded in the terms of the submission to arbitration to which the Government has agreed. No claims which are believed to be untenable will be admitted. I will only ask the House now to leave the management of these difficult negotiations in the hands of those whose duty it is to conduct them.

Question put, and agreed to.

Bill read a second time, and committed for to-morrow.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 342.)

CONSIDERATION.

As amended, considered.

New Clause—

(Payment by purchaser of sinking fund payments in guaranteed land stock).

Where a person liable to pay a purchase annuity either—

(a) redeems the annuity or any part thereof; or

(b) pays on a gale day or within fourteen days thereafter the instalment due on that gale day;

the payment of the redemption money or, as the case may be, of one-fourth of the instalment may be discharged by the prescribed transfer to the National Debt Commissioners of an equal nominal amount of guaranteed land stock, and such transfer may be made through the medium of a post office savings bank,)—(*The Chancellor of the Exchequer.*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

(6.51.) MR. KNOX (Cavan, W.): This clause is intended to carry out a suggestion made by my hon. Friend the Member for South Kilkenny. As far as the first part of it is concerned, it does carry out my hon. Friend's suggestion, and will confer very considerable benefit on, at any rate, the larger of the purchasers under the Act, but I think the latter part of the clause, respecting transfer through the Post Office Savings Bank, requires some amendment. I have carefully looked at the Savings Bank Act of 1880, which is the only Act under which Government Stock can be transferred through the medium of the Post Office, and that only gives power to transfer to a person who has invested through the Post Office Savings Bank.

(6.52.) MR. M. HEALY (Cork): Will the right hon. and learned Attorney General for Ireland say whether the construction placed on the clause by my hon. and learned Friend is correct? The proposal of my hon. Friend the

Member for South Kilkenny was that the person who was liable for the payment of the annuity should, instead of paying the amount in cash, be permitted to purchase Land Stock.

*(6.54.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I confess I see nothing in the clause which does not carry out the spirit of the proposal of the hon. Member for Kilkenny.

Question put, and agreed to.

Clause read a second time.

Amendment proposed,

At the end of the Clause, to add the words "and rules providing for such transfer through such medium may be made by the Treasury with the consent of the Postmaster General in the same manner that rules may be made under 'The Savings Bank Act, 1880,' or any Act amending the same."—(*Mr. Knox.*)

Question proposed, "That those words be there added."

*(6.58.) MR. GOSCHEN: I would suggest that if you put in the words "in the prescribed manner" it would answer the hon. Member's intentions. We quite appreciate the object of the Amendment.

MR. KNOX: The only difficulty I have in accepting that suggestion is that the Rules made under the Savings Bank Act of 1880 are made by the Treasury with the consent of the Postmaster General. The Postmaster General would not be consulted under the right hon. Gentleman's proposal.

*MR. GOSCHEN: We will arrange that he shall be consulted.

Amendment, by leave, withdrawn.

Amendment proposed, at the end of the Clause, after "bank," to insert "in the prescribed manner."—(*Mr. Goschen.*)

Question, "That those words be there inserted," put, and agreed to.

Clause, as amended, agreed to.

New Clause—

(Power to issue two-and-a-half per cent. guaranteed land stock.)

"(1.) If at any time after guaranteed land stock to a nominal amount of not less than ten million pounds has been issued, the Treasury are of opinion, having regard to the average market price of the said stock for the period, not less than twelve months, then immediately preceding, that the market price of a like stock, but bearing dividends at the rate only of two pounds ten shillings per cent. per annum on the nominal amount of the capital, would be one hundred pounds cash for an equal nominal amount of stock, they shall cause notice to be given that after the date specified in the notice the following provisions will apply, and the same shall apply accordingly; that is to say,—

(a.) The guaranteed land stock issued for advances under any agreement made subsequently to the said date shall yield dividends at the rate of only two pounds ten shillings per cent. per annum on the nominal amount of the capital;

(b.) The annual sinking fund payment for stock issued for such advances shall be at the rate of one pound two shillings per cent. on the nominal amount of the capital;

(c.) The county percentage shall continue to be at the rate of five shillings per cent. per annum on such advance;

(d.) The purchase annuity for the repayment of any such advance shall be at the rate of three pounds seventeen shillings per cent. instead of four pounds per cent. per annum on the advance;

(e.) The provisions of this Act with respect to guaranteed stock, and the dividends thereon, and the sinking fund payments for the same, shall apply to stock issued for such advance, with the substitution of the last mentioned amount of dividends and sinking fund payments for those mentioned in such provisions,"—(*The Chancellor of the Exchequer,*)

—brought up, and read the first and second time.

(7.2.) MR. SEXTON (Belfast, W.): If the Treasury find, in the course of time, that they can effect a saving of a quarter per cent., the question I have to ask the right hon. Gentleman is, why that saving should not go to the relief of the tenant purchaser? I am at a loss to understand why the Sinking Fund should be put at £1 2s., and I, therefore, move to strike out 2s.

Amendment proposed, in line 16, to leave out the words "two shillings."—(*Mr. Sexton.*)

Question proposed, "That the words 'two shillings' stand part of the Clause."

*MR. GOSCHEN: The Sinking Fund is put at £1 2s., because it must be rather larger in the case of a 2½ per cent. Stock than when you establish a Sinking Fund to redeem a 2¾ per cent. Stock.

MR. SEXTON: If the Sinking Fund is wholly re-invested in Land Stock, I wish to know why there should be such a large addition as 2s.?

*MR. GOSCHEN: I can only inform the hon. Member that the calculation has been made, and £1 2s. is found to

be necessary. I put forward the explanation for what it is worth.

MR. SEXTON: I beg leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. KNOX: I beg to move, in line 24, page 30, after the word "thereon," to insert the words, "and the redemption of the annuity." I do so that the Chancellor of the Exchequer may be enabled to say how the redemption of the annuity would be arranged under this provision.

Amendment proposed, in line 24, after the word "thereon," to insert the words "and the redemption of the annuity."—(*Mr. Knox.*)

Question proposed, "That those words be there inserted."

*MR. GOSCHEN: I do not think the words are necessary, the object of the hon. Member being already met by the clause.

MR. KNOX: I beg to withdraw the Amendment.

Amendment, by leave, withdrawn.

Clause added.

New Clause—

(Reference to Privy Council of objections to Lord Lieutenant's decision.)

"(1.) Not less than one month before the decision of the Lord Lieutenant as to the share in any fund or sum or the rights or burdens of any county, local authority, or person in respect of payments out of the Guarantee Fund or the Local Taxation (Ireland) Account is finally given, notice of the proposed decision shall be published in the *Dublin Gazette*, and if during such month any authority or person pecuniarily interested sends to the Lord Lieutenant an objection to the proposed decision, in writing, stating the reasons for the same, then such objection and reasons shall be referred to the Privy Council, and after hearing the objector and any other authority or person, if such objector, authority, or person appears to the Privy Council to be pecuniarily interested and desires to be heard, the Privy Council shall advise the Lord Lieutenant thereon, and the decision of the Lord Lieutenant shall be suspended until the advice is given, and shall be in accordance with such advice.

(2.) The Privy Council may order costs to be paid by or to the objector or by or to any authority or person appearing.

(3.) This section shall apply, with the necessary modifications, to a declaration by the Lord Lieutenant as to the proportion between the total number of holdings and those of a rateable value exceeding fifty pounds, and in that case any ten persons whose position (whether as vendors or purchasers) as respects advances under this Act may be affected by the declaration, shall be deemed to be pecuniarily interested,"—(*Mr. A. J. Balfour,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

(7.23.) MR. M. HEALY: I think it would be as well to drop Subsection 2 altogether out of the clause, because I do not know any means by which the Privy Council can enforce an order made for costs. In the Court of Chancery there is a power of attachment, but the Privy Council has no such power; and as, therefore, there are no means of enforcing its order, the sub-section would be a nullity. As to "any authority or person appearing," I take it that the only competent "authority" is the Grand Jury, and supposing the Grand Jury appeared in any case, and the Privy Council mulcted them in costs, the Grand Jury has no power to pay such costs, because it has no legal jurisdiction to levy or apportion such costs on the county in which it acts. Of course, the case provided for is of such a nature that it is almost impossible it could be made the means of vexatious litigation. No one would be likely to appear before the Privy Council without real ground for action. This being so, it is only the Public Authority which could be expected to appear, and I cannot think that the Government mean this clause to apply to any action taken by the Grand Jury.

MR. KNOX: I should like to point out that, inasmuch as the Lord Lieutenant in Council is assumed to be just the same as the Lord Lieutenant without his Council, the reference made by this clause to the Privy Council is practically so much waste paper. It would merely give objectors the right of arguing before a body not necessarily more learned in legal matters than the Lord Lieutenant himself, and, therefore, it would be of no practical advantage. Another point is that the clause does not make it clear that the Crown has any right to appear at all. This is an important point. The Crown can obviously not have any pecuniary interest in appearing before the Privy Council, and, as I understand it, it is necessary that some such interest should exist in order to justify such appearance; but the Lord

Lieutenant, who has made an order, might desire to appear to sustain his decision, and, as I have said, the clause seems to give him no such right. Moreover, costs could never be given against the Crown. It would only be in the case of a dispute between two authorities that costs could be given, and as the clause would be practically inoperative as regards any other party, the point I have ventured to submit is, I would respectfully submit, worthy the consideration of Her Majesty's Government. There is another point I will venture to bring under the notice of the right hon. Gentleman. Sub-section 3 of Clause 5 provides that the declaration of the Lord Lieutenant is not to come into force in certain cases without further proceedings and without sometimes being laid before Parliament, whereas under this section the decision of the Lord Lieutenant is final. It ought to be made clear that the sub-section is not intended to make a declaration by the Lord Lieutenant, under Section 7, binding.

(7.31.) MR. MACARTNEY (Antrim, S.): If the sub-section is to be retained it will be necessary to put in distinct words authorising the Grand Jury to make a levy. At present there is no power for them to make a levy except for a specific purpose. But I rather agree that the sub-section is unnecessary. I do not think there will be many frivolous objections to the declaration of the Lord Lieutenant: the costs which will have to be borne by the objectors will prevent that. I might, however, suggest that the number of objectors might be reduced from ten to five, as in certain districts there might not be ten persons affected by the declaration under Clause 7.

MR. SEXTON: It is not possible that such a case should arise. There never could be fewer than ten persons affected. As to the question of costs, if the objectors are successful, we ought to know from whom they will be able to recover their costs. I think the clause would be better if the provision as to costs were omitted, for you are providing against an imaginary danger. The opening words of the clause are very awkward, and open to the observations made upon them by my hon. Friend. It is provided that "not less than one month before the decision of the Lord Lieutenant," &c., &c. But that decision may not be given for six months, and therefore to say the Lord Lieutenant is to give one month's notice is very awkward. Again, the publication of his intention to make a declaration in the *Dublin Gazette* is not sufficient. That *Gazette* only circulates among officials, mainly in the City of Dublin. I think the advertisement should also appear in at least one newspaper circulating in the county concerned. Again, I object to the word "pecuniarily" as introduced into this clause. The Privy Council are to consider the objections of persons pecuniarily interested. Is it not plain that in a matter of an appeal as to the share of a county in the Guarantee Fund an objector's pecuniary interest might only be contingent and remote? It would be very desirable that he should be heard, but the insertion of this word would exclude him in all probability.

*(7.37.) MR. SYDNEY GEDGE (Stockport): I join in the appeal to the right hon. Gentleman to consent to the omission of this Sub-section 2, and on these grounds: The Crown on all official Motions is represented by the Attorney General or Solicitor General, who has a junior. High fees are paid to these counsel, and only those who have had personal or professional experience know how unfairly the subject is treated in these matters. His own expenses may be small; but if he prove to be in the wrong, he has to pay high fees to the Crown counsel. The liability to pay his own costs will deter a man from making frivolous objections; but if this sub-section stand, costs will follow the event in all cases.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I will endeavour to deal briefly with the rather numerous, but not very far-reaching, points raised in the course of the attack on this sub-section. On the whole, I am disposed to adhere to the sub-section, for I think that in the clause, as originally drawn, the discretion vested in the Lord Lieutenant was sufficient in itself. In Committee, however, it was argued that an appeal ought to be given. The Government assented to that, and I think, at all events, it should be hedged round with provisions such as these. I believe

the methods we have adopted are the ordinary methods. I do not think that there is any likelihood that the power given to the Privy Council will be abused in the case of the poorer or weaker suitors. We are told that this sub-section will practically be of no effect, as the only authority likely to appear before the Privy Council will be the Grand Jury, who can raise a rate to meet the costs. I think it very unlikely that Grand Juries will make frivolous applications. Such applications, if made at all—and I hope none will be made—will come from irresponsible persons in a county who may take it into their heads that they are injured by the declaration. A Grand Jury, appearing solemnly before the Privy Council, are not likely to do so on frivolous grounds.

MR. M. HEALY: But costs may be given against the county.

MR. A. J. BALFOUR: Practically there will be no costs. If there are, I am informed it will be a statutory debt, such as can be recovered.

MR. M. HEALY: In what way—by action?

MR. A. J. BALFOUR: Yes; by action. The hon. Member for Cavan has pointed out that there is no power given to the Crown to appear. That may be met by introducing, in line 42, the words "or counsel on behalf of the Crown." With regard to the point raised by the hon. Member for West Belfast, it is true that the *Dublin Gazette* has not much circulation outside Dublin, but that objection may be met by inserting after the word "*Gazette*," "and some newspaper circulating in the county." That will meet his views and the views of hon. Members below the Gangway on this side of the House. The hon. Member for Cavan appears to think that, as the clause is at present drawn, the Privy Council referred to is the constituted body. But if that were so, it would make the clause little more than a fiction. What is intended is the Privy Council as a Judicial Body, and if the clause does not make that clear, it must be altered.

(7.43.) COLONEL NOLAN (Galway, N.): I think the explanations of the Chief Secretary are tolerably satisfactory, but his action is not. Will he embody his words in an Amendment to be introduced either now or in another place? He said that costs would practically only be given when the objection is frivolous, but that is not provided for in the clause.

MR. A. J. BALFOUR: We will put it in.

COLONEL NOLAN: Then I shall be satisfied. I may say I should prefer these matters to be dealt with by the Lord Lieutenant instead of the Privy Council, for the expense would be considerably less.

COLONEL WARING (Down, N.): However soberly and solemnly a Grand Jury may proceed in the matter, I fear it will have to pay its own costs. There is nothing in the section to relieve them of that.

Question put, and agreed to.

Clause read a second time.

Amendment proposed, in line 6, after the word "*Gazette*," to insert "and at least one newspaper circulating in the county concerned."—(*Mr. Attorney General for Ireland.*)

Question proposed, "That those words be there inserted."

MR. SEXTON: Those words meet my point.

Question put, and agreed to.

(7.47.) MR. SEXTON: At the end of line 6 I wish to leave out the word "pecuniarily." Having regard to the second sub-section it is unlikely that any person will venture before the Privy Council unless he has a real and substantial interest in the matter. But if the word "pecuniarily" is retained he would be precluded from appearing if his money interest were only of a remote or contingent character. He might, for instance, intend to be a purchaser of the Stock to be allotted to his county, but a tribunal of lawyers would hold perhaps that that did not constitute a pecuniary interest. Considering the strong protection against frivolous applications I think the clause might leave this as a personal interest instead of insisting on its being a pecuniary interest.

Amendment proposed, in line 6, to leave out the word "pecuniarily."—(*Mr. Sexton.*)

COLONEL WARING: I would suggest that the word be omitted. I can see no objection.

MR. A. J. BALFOUR: I agree.

Amendment agreed to.

MR. M. HEALY: I would suggest that words should be inserted providing that the objections should be made in the prescribed form.

Amendment proposed, in line 7, after the word "objection," to insert the words "in the prescribed form."—(*Mr. M. Healy.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): That would necessitate the drawing up of Treasury rules. I do not think that would be desirable; it would only lead to considerable trouble. We had better leave the clause as it stands, as under it a person objecting has merely to send his objections in in writing.

(7.50.) MR. KNOX: Difficulty may arise from insisting on the objections being sent in when notice of intention to object is given. In complicated cases important reasons for objecting might only occur to counsel after the litigation has actually been commenced, and if the Privy Council are only to entertain such reasons as may be inserted in the first application, you may unwittingly do an injustice. I venture to think some Amendment is necessary in that respect.

MR. MADDEN: I do not think any such danger is likely to arise; an objector having once stated sufficient reasons for being heard before the Privy Council, will be able to lay his whole case before that tribunal.

Question put, and negatived.

Amendment proposed, in line 9, to leave out the words "and reasons."—(*Mr. Knox.*)

Agreed to.

(7.54.) MR. M. J. KENNY (Tyrone, Mid): Now I come to the question of the constitution of the Privy Council. That Body consists partly of Judges of the Superior Court and partly of country gentlemen, and when sitting there are usually present three or four country gentleman and five or six Judges. The laymen are usually landlords without legal knowledge, and they are indirectly concerned in questions of this sort. I would suggest that matters distinctly technical should only come before members of the Council who are Judges of the Supreme Court. There is no such thing as a Judicial Committee of the Privy Council in Ireland: that is a blessing reserved for England. We know, however, that the judicial functions of the Council have largely increased of late years, and I think there are good reasons for referring these matters to a Committee of Judges.

Amendment proposed, in line 9, after the word "to," to insert the words "a Committee of the Judges of the Supreme Court who are members of."—(*Mr. M. J. Kenny.*)

Question proposed, "That those words be there inserted."

(7.58.) MR. A. J. BALFOUR: Without arguing against the Amendment in the abstract, I may say I do not think that this is a proper subject on which to start a precedent of a novel character. The questions to be referred are not of a legal character, and some slight admixture of the lay mind might improve the tribunal. Neither can the questions be of a kind to raise a conflict between landlords and tenants, for their interests in the matter would be identical.

MR. KNOX: But the right hon. Gentleman spoke of the Privy Council in its judicial capacity a little while ago.

MR. A. J. BALFOUR: I should have said its legal capacity.

MR. KNOX: The distinction is a somewhat narrow one. I think it may fairly be argued that the words as they stand in the clause refer to the Privy Council, not in its legal capacity but its consultative aspect. I think, at any rate, an Amendment should be inserted, making it clear in what capacity the Privy Council is to act.

(8.0.) SIR W. HARCOURT (Derby): It seems to me we ought to have this matter made clear. The words "Privy Council" are very often used as a mere form, but I understand from the Chief Secretary that that is not what is meant here. In that case there ought to be some words showing that the "Privy Council" here means something different from the

ordinary use of the words "Privy Council" in Acts referring to Ireland. It is evident there ought to be a decision here, and therefore there ought to be some words showing that the Privy Council are rather to act in a special capacity in this respect. Also, I think, it is rather necessary you should say that the acts of the Privy Council should be confined to judicial acts, because it is quite plain some members of the Privy Council may have very strong influence in particular counties. Of course they would not give way to any particular bias if they were made to understand they were acting in a judicial capacity. I cannot help thinking the demand that there should be some limitation put upon the words "Privy Council" is a reasonable and necessary one.

*MR. MADDEN: The words in the clause as it stands would import that the assent of the Privy Council was not merely formal, but that they were to decide the matter judicially.

*(8.5.) MR. T. W. RUSSELL (Tyrone, S.): It seems to me that the questions to be decided will mainly be questions of fact, and I do not see why country gentlemen like the O'Conor Don are not as competent to settle questions of fact as any legal gentlemen in Ireland. The Privy Council hold inquiries under the Light Railways and Tramways Act in respect to which there are questions of fact and sometimes questions of law to be decided. No Motion has been made to reserve such questions for lawyers.

MR. SEXTON: I do not think the hon. Member appreciates the scope of the functions the Privy Councillors will have to discharge. They will have to deal with questions of fact and of law. A question of law will take the form of an interpretation of the Land Purchase Act. I would like to see the O'Conor Don tackling this Act, and giving an interpretation of it.

MR. MACARTNEY: As I understand, the practice is that Privy Councillors only attend a meeting when they are specially summoned. If a lay Member is summoned when a law question is to be decided he will be some gentleman who is peculiarly fitted to aid the legal members in the discussion.

Sir W. Harcourt

(8.8.) MR. M. HEALY: It is the case that a large section of the Privy Councillors do not attend the meetings of the Council unless summoned; but, on the other hand, a number of lay members—the O'Conor Don and noble Lords and Commoners—not remotely connected with politics, turn up when judicial questions are to be decided. The complaint of myself and friends is that the clause does not follow any of the statutory precedents on the subject. Notwithstanding what the hon. Member for South Tyrone has said, it appears to me that trained lawyers would be better men to whom to entrust questions raised under this section than even such intelligent and intellectual laymen as The O'Conor Don. We all agree that this Bill is of a largely technical and complicated character, and that even many lawyers will have difficulty in construing it.

MR. COURTNEY (Cornwall, Bodmin): I think it is quite evident that the main questions raised will be questions of fact, which men like Privy Councillors will be well able to determine.

Amendment, by leave, withdrawn.

Other Amendments made.

(8.12.) MR. SEXTON: Sub-section (2) reads—

"The Privy Council may order costs to be paid by or to the objector or by or to any authority or person appearing."

I think it is advisable that people should know in advance what they may be required to pay by way of costs, and therefore, I propose to insert after costs "on the prescribed scale."

Amendment proposed, in line 15, after the word "costs," to insert the words, "on the prescribed scale."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

*MR. MADDEN: The objection to that would be that the costs would have to be prescribed by the Treasury.

MR. SEXTON: The proceedings under the clause would generally be by analogy. What would be fair costs in one case would probably be fair costs in another. There would be no objection to fixing a scale which would apply to all cases.

*MR. MADDEN: I shall be very glad to consider the point before the Bill reaches another place.

MR. M. HEALY: Surely it would be improper to give the Privy Council unlimited power in respect to the amount to be paid by way of costs.

*MR. MADDEN: I would have no objection to insert the words "on a scale to be settled by the Lord Chancellor," if that would meet the views of hon. Gentlemen.

Amendment, by leave, withdrawn.

Amendment proposed, in line 15, after "costs" to insert "on a scale to be settled by the Lord Chancellor."—(*Mr. Attorney General for Ireland.*)

Question proposed, "That those words be there inserted."

(8.19.) MR. M. HEALY: The Chief Secretary has told us that the order for costs made under this section has to be enforced by suit—that the party requiring costs has to sue. If costs are awarded to a Grand Jury how can they, being a Corporate Body, sue? On the other hand, suppose costs are given against a Grand Jury how can they be sued?

Question put, and agreed to.

Amendment proposed, in line 16, to leave out the words "authority or."—(*Mr. M. Healy.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

COLONEL WARING: Could my right hon. and learned Friend devise any means by which the Grand Jury could protect themselves?

*MR. MADDEN: This really raises a question of Grand Jury law outside the present Bill. It so happens that a Grand Juror may be one of the persons interested in this clause, but generally speaking wherever Grand Juries are involved in litigation of any kind this difficulty comes in, unless provided for by special Statutes.

(8.23.) MR. MACARTNEY: I want to point out that if some such words are not inserted in this clause, it is perfectly obvious that a Grand Jury will never take any steps whatever under this clause. The Grand Jury Act distinctly empowers Grand Juries to make levies for the purposes of the Act. There are also in the Act special clauses empowering them to levy.

*MR. MADDEN: As I understand the point of this discussion, it is that Grand Juries are more likely to be involved in this species of litigation than others. I am bound to say that is reasonable, and I will undertake to have a clause moved on the subject.

MR. KNOX: Have the Poor Law Boards power to incur expenses under this clause? I do not know that they have, and I think they should have that power. The clause to be inserted should apply, not merely to Grand Juries, but to any other authority.

Amendment, by leave, withdrawn.

Amendment proposed, in line 16, at end of Sub-section 2, to add "or cited to appear."—(*Mr. M. J. Kenny.*)

Question proposed, "That those words be there inserted."

*(8.27.) MR. MADDEN: I do not think the Amendment is necessary.

MR. M. HEALY: What we want to know is, who is it intended should pay the costs? If it is contemplated that the costs should be paid by the Crown, it appears to me that some such words as my hon. Friend suggests would be necessary, because, although the Crown are responsible for the order, they may not appear in support of it.

*MR. MADDEN: I will not object to the Amendment.

Question put, and agreed to.

Amendment proposed, at the end of the last Amendment, to insert the words "or by the Treasury."—(*Mr. Knox.*)

*MR. MADDEN: I never saw words of that kind inserted in an Act of Parliament.

MR. M. HEALY: But the Act would not bind the Crown unless the Crown was expressly mentioned.

*MR. MADDEN: I could not accept the Amendment in that form. It might, however, be made to run "including the Crown."

Amendment, by leave, withdrawn.

Amendment agreed to: To insert after the words last inserted "including the Crown."—(*Mr. Attorney General for Ireland.*)

Amendment proposed,

At the end of the last Amendment, to insert the words "if they consider the objection or appearance, as the case may be, to be frivolous or unwarrantable."—(*Mr. Attorney General for Ireland.*)

Question proposed, "That those words be there inserted."

(8.31.) MR. KNOX: May I suggest to the right hon. Gentleman that he should leave out the words "or appearance." I do not quite understand what a frivolous appearance may be. So far as I can see on an objection costs would rarely be given against the Crown, and we can hardly imagine the Privy Council holding the appearance of the Crown to be frivolous. As the Crown would give the cause for the appearance I consider the Crown should be liable for costs if the order should be changed by the Lord Lieutenant on further consideration.

MR. SEXTON: If the objection is made good the appearance is not frivolous, and if the objection is found frivolous that ought to be sufficient.

*MR. MADDEN: Perhaps the best course will be to give this a little further consideration. The intention is quite understood, I think, that a person is to pay costs if his objection is frivolous or his appearance in the case unreasonable, and I will undertake to have the words considered.

MR. M. J. KENNY: The right hon. Gentleman might use the word "unreasonable."

Amendment, by leave, withdrawn.

(8.33.) Amendment proposed, in line 22, to leave out the word "pecuniarily."—(*Mr. Sexton.*)

Question proposed, "That the word 'pecuniarily' stand part of the Clause."

(8.34.) MR. COURTNEY: It appears to me that the effect of leaving out this word would leave the clause very much as it was at starting. You say that a person pecuniarily interested shall have a right to appear; and in the absence of that interest there is no right to appear—there is no indirect right of appearance; but this Amendment would change the effect of the former part of the clause.

Question put, and agreed to.

Clause, as amended, added. (8.36.)

(9.12.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

New Clause—

(Returns.)

Periodical Returns shall be made by the Land Commission at the prescribed times, and forthwith laid before Parliament, and shall contain, with respect to every county, the prescribed particulars, including the particulars hereinafter mentioned, that is to say:—

(a.) Returns of advances under this Act, specifying—

(i.) the situation, size, rateable value, and rent (judicial or non-judicial) of each holding for the purchase of which an advance has been made;

(ii.) the vendor and purchaser thereof; and

(iii.) the amount of the purchase money, advance, and guarantee deposit;

(b.) Returns specifying the like particulars as above mentioned with respect to cases (if any) in which default has been made in the payment of purchase annuities, and specifying, further, the amount of instalments paid and in default respectively, and the proceedings taken for the recovery of the instalments in default;

(c.) Returns specifying—

(i.) the amount (if any) which has been paid out of the Guarantee Fund to the Land Purchase Account or to the Consolidated Fund;

(ii.) the amount which has been applied under this Act towards the cost of providing labourers' cottages;

(iii.) the presentments (if any) which have been made under this Act; and

(iv.) the regulations and decisions which have been made by the Lord Lieutenant with respect to the share of any county, local authority, or person in any fund or sum dealt with under this Act,—(*Mr. A. J. Balfour,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

*MR. T. W. RUSSELL: May I ask the right hon. Gentleman whether he will accept the Amendment which stands on the Paper in the name of the hon. Member for the Rushcliffe Division of Nottinghamshire (Mr. J. E. Ellis), which is to the effect that the Returns should be made up to the end of the months of March, June, September, and December in each year, and not "periodically," as proposed in the clause? It would be better that the clause should not be allowed to remain in its present vague form.

(9.14.) MR. SEXTON: The terms in the Bill should not be allowed to remain so elastic as to render the Returns of no practical value. It seems to me that the word "periodical," as contained in the clause, is inadmissible. When we were discussing Clause 1 the Government had not discovered the difficulty of the clause that deals with the constitution and tenure of the Land Commissioners. In the conflict which took place in Committee on the question, the Government adhered to the determination expressed by the clause that the Land Commissioners shall in future not be public servants in the ordinary sense, but shall be removable only on an Address from both Houses of Parliament, and shall, as it were, draw their salaries over the heads of the House of Commons from the Consolidated Fund. It is, therefore, more necessary than ever that details of the proceedings of the Commissioners shall be given by them at a time dictated by Parliament in the Bill. For anything they may do or may leave undone hereafter, according to their tenure, this House, as apart from the other House, will have no jurisdiction over them. Consequently, I think it necessary that we should here specify beyond any doubt or question, at what periods these important Returns should be submitted. I suppose we shall be able to consider presently what form the Amendment should take. I presume that in the case of first-class Returns they should be made by the Land Commission quarterly, and that in the case of other Returns under sub-heads, they should be half-yearly. In regard to the Returns under sub-head "b."—

"Returns specifying the like particulars, as above mentioned, with respect to cases (if any) in which default has been made in the payment of purchase annuities, and, specifying further, the amount of instalments paid and in default respectively, and the proceedings taken for the recovery of the instalments in default"—

when a farm is sold subject to an annuity I suppose the whole balance becomes a sum recoverable on default of payment of instalments. If you cannot recover from the tenant you sell his farm. If you do it subject to a reduced annuity, then the difference between the old instalment and the new is a loss to the State. If you sell subject to no annuity, on default the difference between the sum unredeemed and the amount received for the farm will be a loss to the State. It would be desirable that such cases should appear on the Returns. The clause contemplates only the failure to pay instalments. It is most important that these facts should be known, because the loss which will fall on a locality by the failure to pay an instalment will be light and can be easily made good, but the loss through ten or a dozen emergency men, say, throwing up their farms in order to go to America, would be heavy. It is extremely important that we should have an intelligent knowledge of these matters, even though we cannot control the Commissioners.

(9.19.) MR. A. J. BALFOUR: I agree that every particular necessary to judge of the working of the Act should be provided in the Returns. I agree, also, it will not do to leave the determination of the precise form or period of these Returns to the Land Commission, who are not subject to the control of Parliament. But I also think it would be inconvenient too rigidly to specify the exact dates at which these Returns should be given. I do not think hon. Gentlemen opposite have precisely realised the effect of the word "prescribed." The clause says—

"Periodical Returns shall be made by the Land Commission at the prescribed times, and forthwith laid before Parliament."

Now, hon. Members have spoken as if "prescribed" in the clause meant "prescribed by the Land Commission," which so far as discussions in Supply in this House are concerned, is described as irresponsible. That is not so. "Prescribed" means prescribed by the Treasury, and the House will readily see that, whatever may be the case with the Land Commission, the Treasury are always subject to the control of this House, and will certainly prescribe precisely the kind of information which the House desires to be possessed of. I think the word "prescribed" does really give Parliament all the control it desires.

*MR. KEAY (Elgin and Nairn): I wish to direct the attention of the Government to what is probably an unintentional omission on their part under Sub-head

C, which states that Returns will be furnished, specifying the amounts, if any, repaid by the Guarantee Fund to the Land Purchase Account or to the Consolidated Fund. That sub-head omits what is, in my judgment, a major particular which ought to be furnished in any such Return, namely, the amount that has been advanced out of the Consolidated Fund. The Bill provides by three different clauses a certain method by which these matters shall be arranged. The first in point of time is in Clause 2, whereby, the Land Commission having established a Land Purchase Account, there shall be paid into that Account the dividends and Sinking Fund payments for the whole of the advances. The second step is that if the tenant purchaser should not pay the annuities, the Consolidated Fund has to pay them instead. Then it is provided by Sub-section 3 of Clause 1 that the Guarantee Fund shall re-imburse the Consolidated Fund the amounts advanced. I want to point out that clearly the most important of the things to be recorded in any Return, such as is provided for in Sub-head C, is the advances out of the Consolidated Fund, and not merely the amounts repaid to it. If the clause remains as it stands, and, say, £1,000,000 has been advanced out of the Consolidated Fund to make good defaults, no notification of that fact will take place; whilst if the Guarantee Fund repays to the Consolidated Fund, say, £10,000 or £100,000, the Return will show the re-payment without indicating that nearly £1,000,000 is still owing to the Consolidated Fund. I would suggest the insertion, after "been," in line 18, of the words "Paid out of the Consolidated Fund or." The Amendment is so obviously necessary that I have no doubt the Government will signify their assent, and render my formally moving it unnecessary.

(9.31.) MR. M. HEALY: I want to ask why the learned Attorney General for Ireland has not included in the third portion of this Return the orders made by the Lord Lieutenant respecting the division in each county between large and small tenants. That appears to me to be quite as important as the other sub-heads. I hope the Government will also add to Sub-section (b) the date of the advance.

Question put, and agreed to.

Clause read a second time.

(9.33.) MR. SEXTON: I move to insert after "prescribed time," the words "in each year." I, of course, admit the force of the right hon. Gentleman's contention that the Treasury is the servant of the House, but the best servant is none the worse for a clear indication of the master's will, and I think we should provide that Returns should be made within periods of not less than a year.

Amendment proposed, in line 2, after "time," to insert "in each year."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

(9.35.) MR. A. J. BALFOUR: Some of the particulars cannot be given each year, but I have no objection to the Amendment.

Question put, and agreed to.

Another Amendment made, in line 11, after "deposit" to insert—

"For particulars of any order made under Section 12 of this Act in relation to such holding, and of the enforcement thereof."—(*Mr. Knox.*)

Another Amendment made, in line 14, after "further," to add "the date of the advance."—(*Mr. M. Healy.*)

Another Amendment made, in line 15, to omit "and," and insert "the amount of loss on the occasion of the sale of any holding."—(*Mr. Attorney General for Ireland.*)

*(9.40.) MR. KEAY: Not having been fortunate enough to get any indication of opinion from the Government with regard to the suggestion which I made a short time ago about adding to the Return the advances made out of the Consolidated Fund, I beg to move, in line 18, after the word "been," to insert "paid out of the Consolidated Fund or." I need not repeat the arguments I have already adduced. Suffice it to say that a considerable point has been put forward which has not been replied to from the Treasury Bench. As it stands, sub-head "c" provides that while certain Returns which, no doubt, are very useful so far as they go, are to be provided,

yet this important Return which I have now moved for is not to be made. The condition of things which would arise would be this: that there might have been £1,000,000 advanced from the Consolidated Fund, and none of it repaid at all, in which case the Returns would show nothing. If a small sum of, say, £10,000 had been repaid, the Consolidated Fund would stand £990,000 out of pocket, but the House and the public would know nothing about it. I hold that the Return for which I ask would be much more important than the other Returns provided for, and, on all grounds of common sense and fairness, I appeal to the Government to accept my Amendment.

Amendment proposed, in line 18, after the word "been," to insert the words "paid out of the Consolidated Fund or."—(*Mr. Keay.*)

Question proposed, "That those words be there inserted."

(9.45.) MR. A. J. BALFOUR: I am sorry the hon. Member should have thought it necessary to repeat the oration he made some time ago, especially as his Amendment is one we have no difficulty in accepting.

MR. MADDEN: The words should appear in Sub-head (I.) "the amount of money (if any) temporarily advanced out of the Consolidated Fund." If the hon. Member will withdraw his Amendment I will move the addition of those words.

*MR. KEAY: That will exactly meet my view.

Amendment, by leave, withdrawn.

Amendment made, in line 18, insert "the amount of money (if any) which has been temporarily advanced out of the Consolidated Fund, and."—(*Mr. Attorney General for Ireland.*)

Another Amendment made, at end of of Sub-head 4, to add—

"And with respect to the proportion in which advances are to be made in the county as between holdings, the rent of which, exceeds £50, and other holdings."—(*Mr. M. Healy.*)

Another Amendment made,

To insert, after Sub-head v., "the amounts paid out of the purchaser's insurance money, under Section 5, Sub-section 4, of this Act, and the amounts paid out of the reserve fund, and repaid to such fund under Section 5, Sub-section 5 and 6 of this Act."—(*Mr. Sexton.*)

Clause, as amended, added.

(9.50.) COLONEL WARING: I beg to move the clause which I have placed upon the Paper. This is a proposal which has had support from more than one quarter of the House. Unfortunately, there is no Patent Office in which to register ideas of this kind. It has been assumed that I have adopted the idea of the senior Member for Cork, but I can assure the House that this has been an opinion I have expressed long before this proposition was made by him. The proposal is that a tenant who wishes to fine down his rent should be able to take a perpetual lease at a sum not exceeding what the Land Commission would consider a fair rent. In this I simply propose to renew a section in the Act of 1881. I think great advantages would accrue from the adoption of the proposal. So far as the State is concerned, it is likely that a loan amounting to the capitalised value of half the fair rent would be a secure one, and that none of the complicated guarantees which have been invented for larger advances would have to be called on. In the second place, it would take a smaller amount of money out of the sum provided for the purposes of the Act, and would lead to the adoption of the provisions of the Act in numerous cases where landlords at present would be naturally unwilling to take advantage of them, owing to the difficulty and delay caused by the necessity for proving the title of the vendor and of going into detail with regard to family settlements and the like. These perpetuity rents would be much easier and much more rapidly collected than under the sale of holdings. The tenants would go on paying a reduced rent, but would not be precluded from repeating the operation and purchasing the second half of his rent. I move the clause as it stands on the Paper.

New Clause—

(Sale where tenant pays fine and fee farm rent.)

"(1.) Where a sale of a holding is about to be made by a landlord to a tenant in consideration of the tenant paying a fine and engaging to pay to the landlord a fee farm rent, the

Land Commission may make an advance to the tenant to the amount of such fine, provided that the fee farm rent shall not exceed fifty per cent. of the rent which, in the opinion of the Land Commission, would be a fair rent for the holding.

(2.) The provisions under this section for securing advances for the purchase of holdings and for the repayment of same, and for distribution of purchase-money, shall be, mutatis mutandis, the same as those in reference to cases of purchase and sale by tenants of their holdings under this Act,"—(*Colonel Waring,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

(9.55.) MR. SEXTON: This is a Bill to provide funds for the purchase of land in Ireland, and the hon. and gallant Gentleman by this Amendment proposes to devote these funds, or part of them, not to the purchase of land, but to fining down the rents of tenants. The tenants, when this transaction has taken place, will still be tenants, and their landlords will remain landlords. I submit that a transaction leaving such a sequel behind it could not be described as a transaction of sale and purchase, and would not come within the scope of this Act.

*MR. SPEAKER: There is great force in what the hon. Member says. It would not be strictly within the purport or scope of an Act for securing the purchase of holdings.

COLONEL WARING: It is a proposal in the interest of the tenant.

MR. SEXTON: The landlord could evict him.

Motion and Clause, by leave, withdrawn.

*MR. PENROSE FITZGERALD (Cambridge): I beg to move a new clause dealing with arrears. My idea is to arrive at some arrangement which may facilitate landlords more or less in arrear—and I think that in Ireland it will be more—with regard to the sale of their property. I think that it will be generally agreed that unless some arrangement is come to by which the arrears at present due, or some portion, are made the absolute property of the present or sitting owner of the land, a grave obstacle will be put in the way of many landlords disposing of their property.

New Clause—

(Arrears.)

"(1.) Where the amount of the advance applied for in pursuance of any agreement for sale is sanctioned by the Land Commission, and there are nevertheless arrears of rent due by the tenant to the landlord, the Land Commission may add to the amount of such advance an amount agreed upon between the landlord and the tenant in satisfaction of such arrears, not however exceeding—

(a.) The amount of two years' rent; or

(b.) Half the amount of the arrears due.

(2.) Before making such advance the Land Commission shall be satisfied that—

(a.) The arrears are bonâ fide due to the said landlord; and

(b.) That arrears to the amount advanced in respect thereof have accrued within ten years prior to the application.

(3.) When any such advance in respect of arrears has been sanctioned the amount thereof shall be paid to the landlord or other person entitled thereto,"—(*Mr. Penrose Fitz-Gerald,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

(10.0.) MR. A. J. BALFOUR: I do not deny that a difficulty exists, but I do not think this clause would afford a practical solution of it. Its character may be stated thus: If the land be settled land, the price of it is not at the disposal of the owner for the time being, but is to be put in trust for the benefit of the remainder man. My hon. Friend will observe that if his Amendment were carried there would be an opening for great fraud on the part of the owner, because, he being aware that the holding is security for, say £1,000, might enter into a colourable transaction with the tenant under which £500 out of the £1,000 would be regarded as arrears, and the remaining £500 as the price of the holding. The result would be that the owner would get a good deal more than his rights, and the State would be proportionately injured. The House will see that this clause does not give the landlord a right to more than the holding is security for. We could not admit that for a moment. My hon. Friend desires to draw a line between the arrears and the price of the holding. I think that that would be a difficult thing to do. It would obviously require to be guarded by every sort of limitation, in order to prevent the owner in posses-

sion defrauding either intentionally or unintentionally the remainderman. I would suggest to my hon. Friend that he should not press the Amendment, seeing that what he has pointed out has not militated in the past against success of land purchase, while its adoption would, I am inclined to think, constitute a rather dangerous innovation in the Bill now before the House.

Question put, and negatived.

*(10.3.) MR. T. W. RUSSELL: I beg to move the clause which stands in my name, its object being to provide that where negotiations between landlord and tenant are in danger of breaking down, the question of price may be referred to the Land Commission. I have heard some objection to this clause on the ground that it is the thin end of the wedge of compulsion. But I wish to point out that it can only be put into force with the consent of both parties. I cannot possibly be charged with being in favour of compulsory sale or compulsory purchase, and I wish it to be understood that there is no compulsion in the clause which I am now proposing. I think the clause of enormous importance to farmers in the Province of Ulster. I do not know that it is of so much importance to farmers in other parts of Ireland, but I am assured that there will be an anxiety to buy in Ulster, and very little anxiety to sell. That will be the real difficulty with which tenants will be confronted in the Province of Ulster. I do not blame the landlord for his unwillingness to sell, for he gets his rent with tolerable regularity and is in a pretty comfortable position, and has not the inducement to sell which landlords in other parts of Ireland may have. With him it will be very much a question of price: the landlord will try to get as much as he can, and the tenant will endeavour to cut him down, and I fear this danger—that in the course of the negotiations there will be a tendency to break them off at a critical point, say when there is only a difference as to a year's purchase. Now, I should like to have in the Bill a provision which will enable both parties to refer the question to the Land Commission for arbitration. This is not a new proposal. It was the very first clause of the Bill of last year, and I must say I think that so far as the Bill of this year differs from that of last year, it is not so good. I hope the Chief Secretary will give us some explanation why he has omitted this particular provision from the Bill.

New Clause—

(Price to be paid for holding may be fixed by the Land Commission.)

"When the landlord and the tenant of a holding in Ireland make an agreement for the sale of the holding to the tenant, they may in such agreement provide that the price of the interest which the tenant agrees to buy in the holding shall be fixed by the Land Commission, and the Land Commission may thereupon fix such price and may make such advance to the amount so fixed, or in or as a contribution to the purchase-money to be paid for such holding,"—(*Mr. T. W. Russell,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

(10.7.) MR. SEXTON: The circumstance that this clause was in last year's Bill, and is not in this, would rather appear to indicate that the right hon. Gentleman is opposed to it, and I may point out that in every case in which we have sought to reinstate in this Bill clauses omitted from it, but contained in the measure of last year, the right hon. Gentleman has told us that he has altered his mind. I presume he will now give us some reason for the exclusion of this particular clause. I think the great defect of the clause is that there is no compulsion in it, for I hold that, so far as the Province of Ulster is concerned, it will be of no effect unless it is made compulsory. The hon. Gentleman advanced another argument which seemed to me strangely remote. He said that the case of Ulster was very different from that of other parts of Ireland, and that the landlords instead of being eager to sell would be unwilling to do so. How does the hon. Member make it out that in the case in which landlords are unwilling to sell the position of the tenants will be made easier by the insertion of this clause?

*MR. T. W. RUSSELL: I also said it would be largely a question of price.

MR. SEXTON: If the landlord is in such a position of independence that he does not care to sell, the question would

scarcely be one of price—it would rather be one of sentiment. I take it that an unwilling landlord would never consent to refer the matter to the Land Commission. But I think that the main question is after all, "Who will be the Commissioners to fix the price?" I believe the occasions on which they will be called upon to act will be very rare, for if landlord and tenant cannot, after negotiation and discussion, agree upon a price, they are scarcely likely to be in a frame of mind to refer the matter to arbitration. The Land Commission, too, has never had this power before, and we are, therefore, entering on an experiment. Now, I ask again who is to fix the price? I admit that my attitude towards this Amendment will be affected, and perhaps governed, by the consideration whether or not the prices are to be fixed by the Commissioners who have had the administration of the Ashbourne Acts. It cannot be denied that by their conduct they have earned the confidence of the Irish people—they have secured a position not often attained by public officials in Ireland. But if you are going to entrust the duty to the three Land Commissioners under this Bill I say you will be confiding to them an extremely important function without evidence of their fitness to discharge it. If the clause be adopted I shall at the proper time move that the duty of fixing the price be handed over to the Commissioners who have the administration of the Ashbourne Acts.

(10.15.) MR. LEA (Londonderry, S.): I do not quite understand the arguments of my hon. Friend. This is a strictly voluntary clause, for neither landlord nor tenant need resort to arbitration unless he chooses to do so. I cannot see the least objection to its being included in the Bill. It is quite harmless, and if inserted in the Bill, will probably only come into force on one or two occasions.

MR. A. J. BALFOUR: As the original author of this clause, I must confess to a lingering affection for it. A similar clause was in the forefront of the Bill of last year. It was introduced because I thought that the landlords of the South West of Ireland might find themselves not only unduly pressed—pressed by not particularly legal methods—to sell, but to sell for a price very much less than the true value of the land. I inserted it because I wished the landlords, in a contingency of that sort, to be able to say, "I am prepared to sell, but not at the price you choose to fix; we will, instead, appeal to a tribunal whose impartiality is beyond question." The clause, however, did not find much favour in any part of the House, and so I determined not to include it in this year's Bill. I think it would not be well now to alter the framework of the Bill, and probably it will be quite sufficient to leave the landlord and the tenant the choice which they now possess of obtaining arbitration in the Land Commission. There is nothing whatever in the Bill to exclude arbitration if the tenant and the landlord wish to resort to it. The hon. Member for West Belfast has asked for a declaration as to the constitution of the Commission. I believe that the question will be raised on Clause 14, and when that is reached I shall deem it my duty to state the views of the Government on the point. I cannot do so now.

(10.20.) MR. M. J. KENNY: I do not think that this clause would have the salutary operation in the Province of Ulster, which the hon. Member for South Tyrone seems to anticipate. Last week an important Conservative Association there passed a resolution of no confidence in the Land Commission, and farmers who do that can hardly be expected to agree to submit questions of importance to that body. Again, I do not think the farmers would be willing to refer these questions to the Commission, because the function of that Body is to ascertain whether the price agreed upon between landlord and tenant is a fair price from the point of view of security to the State. But now you propose to absolutely change their function and let them fix the price themselves. That will be throwing an enormous burden upon them, and a burden sufficient to prevent them discharging their duties efficiently. While I desire to promote agreements between landlord and tenant I do not think this proposal would have that effect.

MR. KNOX: I am aware there is considerable feeling in favour of this proposal in certain parts of Ireland,

and I should feel disposed to support it were it not for the fact that we can get no explanation as to what Body will be entrusted with the duty of fixing the price. Who are to form the Land Commission? Are Mr. Fitzgerald and Mr. Wrench to be allowed to meddle in these land purchase transactions? I should not have any objection to Mr. Wrench dealing with matters of account, but on points requiring discretion as between landlord and tenant I do not think anyone representing the tenants could assent to his having a finger in the pie. The merits of this Amendment depend entirely on the point, Who will form the Land Commission? I shall oppose the clause, because I believe it will be absolutely nugatory if the Land Commission is composed of the two gentlemen I have named. If, however, the duty is to be entrusted to Messrs. Macarthy and Lynch I shall be happy to vote for the Amendment.

(10.28.) MR. M. HEALY: It is impossible for anybody to come to a decision on the questions involved in this clause without knowing who is to have the administration of this Act. Is it to be left in the hands of the gentlemen of whose work we have had experience and in whom the country has confidence? If so I should be disposed to vote for this clause. But I would not vote for it on any of the grounds suggested by the Chief Secretary, because I believe it will afford a means of escape to landlords who are being driven to sell by their tenants. The right hon. Gentleman does not think we should take into consideration the question who will administer this clause. He thinks it is not right we should let our minds be influenced by questions of personal conduct such as are involved by references to Messrs. Macarthy and Lynch. We have confidence in those gentlemen, but we have none in Messrs. Fitzgerald and Wrench, and our confidence in the former has been justified by long experience of them. We are asked for no cause assigned to abandon the administration of Mr. Macarthy and Mr. Lynch. We are asked to revolutionise the Land Commission and change its powers and its purposes. I am in favour of the clause if it is administered by gentlemen in whom I have confidence, but I would rather see the Bill defeated and the whole scheme of land purchase thrown out than have the administration of the measure placed in the hands of gentlemen I know nothing of. Therefore, while I think there is a good deal of merit in the proposal which this clause makes, I shall in the present stage of things be compelled to vote against the clause.

MR. PIERCE MAHONY (Meath, N.): I find myself in complete accord with my hon. Friends the Members for West Belfast and Cavan (Mr. Sexton and Mr. Knox). The whole value of the clause who are to administer the clause. At the present moment we have in Ireland a Land Purchase Department which has administered Land Purchase Acts for six years, and has gained a much larger amount of public confidence than I venture to say has been gained for many a long day by any Public Department in the country. If it is left to them to fix the purchase price of holdings I think this clause would be valuable. I do not quite agree with the hon. Member for West Belfast that where landlord and tenant can come to an agreement between themselves they will not be likely to leave the matter to a third party. I think that is exactly a case where a third party is wanted. The Chief Secretary said there was nothing to prevent landlord and tenant submitting a case of that kind to arbitration; but there is a great deal of difficulty in arranging arbitration between landlord and tenant, and what we want is to have a Court, constituted by Act of Parliament, to whom the landlord and tenant may refer the matter of price. I cannot go the length of voting against this clause, even if the names of the gentlemen who are to administer it are not made known, but the clause will become practically valueless unless it is administered by men such as the Land Commissioners in whom the tenant farmers have confidence.

*(10.36.) MR. JORDAN (Clare, W.): I am strongly in favour of the principle of the clause on the ground that it will lead to many arrangements in the North of Ireland that might not otherwise be made. Landlords and tenants who have proceeded a certain distance in the matter of negotiation may wish the intervention of a third party as arbitrators. I think the Land Commis-

sion would be a very suitable third party to arbitrate between landlord and tenant. From what I know of Mr. Wrench in the matter of the management of estates before he went to the Land Commission, I think it would be a calamity if that gentleman were called upon to arbitrate where tenants are interested. At present tenants in the North of Ireland and in other districts are afraid to refer matters to Mr. Wrench, lest the judicial rents would be increased, and much more where price of purchase would be fixed would they fear him.

(10.38.) MR. P. J. POWER (Waterford, E.): Occasionally we have had to find fault with the administration of the Ashbourne Act, but, I think it can be said that, on the whole, the two gentlemen who now administer that Act have done their work well and efficiently. If there is to be arbitration we should certainly prefer to see those gentlemen conducting it.

*MR. T. W. RUSSELL: Perhaps I may be allowed to withdraw the clause. I was quite prepared for opposition from the Representatives of the Irish landlords, but I was not prepared for opposition on this side.

Motion and Clause, by leave, withdrawn.

*(10.41.) MR. LEA: I beg to move the new clause "Insurance Fund," which stands in my name. Hon. Gentlemen below the Gangway and I and my Colleague have raised objection to the Insurance and Guarantee Deposit Funds simply on the ground that it will restrict purchase under the Bill. I have always gone on the principle that we should make the Bill work as smoothly as possible and remove all restrictions we can in order to make the Bill valuable to everybody. There can be no doubt that the Insurance Fund will tend to restrict sales; that is an indisputable proposition. Again, there is no doubt that the guarantee deposit will also act as a restriction in many cases. I have been informed that there are three estates on which it will render the Act useless. Of course the Treasury will argue that the Insurance Fund and the guarantee deposit cannot be removed with safety. That may be so in some cases, but in a very considerable portion of Ireland there are many large estates not only in Ulster, but elsewhere in Ireland on which the tenant right is ample security for any advance under a Land Purchase Bill. I maintain that when tenant right represents a large and saleable sum it is far better security than the paltry 5 per cent. of insurance money, or even the larger amount of guarantee deposit. Such restrictions are certainly useless, and I, therefore, propose that when tenant right does exist in a saleable manner the Land Commission may, if they think fit, set aside the Insurance Fund and also the guarantee deposit and allow the estates to be sold under the Act.

Another Clause—

(Insurance Fund.)

"When the Land Commission are satisfied that the prevailing average price paid on an estate for the purchase of the tenant's interest is £10 per acre or upwards, and they are otherwise satisfied with the security of the advance, they may dispense with the Insurance Fund instalments named in Section 5, Sub-section (1), of this Act,"—(*Mr. Lea,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

(10.48.) MR. KNOX: I think the Insurance Fund is bad in every way, bad for the North of Ireland, the South of Ireland, and the West of Ireland; and that wherever we can get rid of it we ought to do so. I think there is a great deal in favour of what the hon. Member has said, namely, that where the tenant-right is so valuable that it fetches on the average more than £10 an acre, we do not want any security over and beyond the tenant's interest in the holding. That is quite sufficient to guarantee the Government. I think the proposal will have a more far-reaching effect than the hon. Member imagines. My belief is that it will affect a great part of the North and South of Ireland. I, therefore, venture to strongly support the clause, and to hope that the Government may see their way to accept it. Of course, the clause in no way removes my strong objection to Clause 5. That clause, though it is objectionable from the point of view of the tenants whose

case is met by the present clause, is much more objectionable to the small tenants in the West of Ireland. Therefore, though I support the Amendment, I do so because I think the tenants' Insurance Fund is a bad thing in every case, and not because I think it a worse thing in this case than in others.

(10.50.) MR. A. J. BALFOUR: Of course, I shall not be expected to express my concurrence with the view of the hon. Gentleman that the tenants' Insurance Fund is a bad thing. At the same time, I have great sympathy with the view which has been expressed by the hon. Member who has moved the Amendment with respect to the holdings in Ulster, where it may be said that the tenant's interest is nearly as great as that of the landlord's, and represents an amount substantially in excess of any sum likely to be advanced by the State for the purchase of the holding. But the Amendment is one which the Government can hardly accept. I might make several objections to the suggestion, but one is fatal. If it happened that on a holding there was very fine arable land and some amount of comparatively inferior and rough pasture, it might be that, although the tenant's interest was a very large proportion of the saleable value of the holding, it might not amount to £10 an acre, and the tenant would be excluded from the benefit of the clause, simply because the holding in part consisted of land which was of inferior quality, and which, therefore, brought down the general average of the tenant-right to some point below the £10 fixed by the clause. It has, however, occurred to me that my hon. Friend's intention may be carried out, not inconsistently with the general principles of the Bill, if words are introduced to this effect—

"When the Land Commission are satisfied that the value of a holding for the purchase of which an agreement has been entered into under the Act exceeds the amount of the advance by at least one-half, they may, on the application of the landlord and tenant, dispense with the guarantee deposit and the tenant's Insurance Fund in respect of such holdings, and in such case the provisions of the Land Purchase Act and this Act with reference to the Guarantee Fund and the tenants' Insurance Fund shall not apply."

This would relieve the exceptional holdings in Ireland from the particular limitations of purchase that have been pointed out, and, so far, I should be prepared to dispense with the tenants' Insurance Fund.

(10.54.) MR. SEXTON: The right hon. Gentleman has adopted an unusual and inconvenient course by superimposing another and difficult question on that suggested by the Amendment. The right hon. Gentleman is endeavouring to deprive Members of the opportunity of declaring their opinion on the two Amendments, because Members who take one view of the first Amendment may take an exactly contrary view of the second. As regards the insurance money, I say at once that where a tenancy is worth £10 an acre, or the value of the holding is half as much again as that of the interest of the landlord, one of the two reasons given by the right hon. Gentleman for the establishment of the tenants' Insurance Fund does not apply. Under such circumstances there is no occasion to make provision for a bad year, because a tenant who is so well endowed is placed in no danger by a bad year. The second reason given by the right hon. Gentleman for the establishment of the fund was that the benefit which would be derived by purchasers should not be so great as to excite envy among the tenants who were shut out. But when the right hon. Gentleman limits his fund to £30,000,000, what can it matter to him how many tenants wish to buy? And how does he reconcile with that argument his acceptance of the Amendment to-night? I do not dwell on the point, because I think the tenants' Insurance Fund is a bad thing altogether. I shall vote on every occasion in favour of limiting the Insurance Fund, and therefore I shall support the Amendment.

(10.58.) SIR G. TREVELYAN (Glasgow, Bridgeton): It seems to me that hon. Members, in viewing the proposals now submitted, may take a diametrically opposite view as to the wisdom of the one and the unwisdom of the other. For several days the Committee was employed in debating the question of the advisability of retaining an Insurance Fund by keeping up the tenant's payments for the first five years. Almost

an equal amount of time was consumed at the previous stage of the discussion by Gentlemen on this side of the House endeavouring to maintain the right of the public to have the full benefit of the deposit of the landlords. There was, it seems to me, no mistake made so great in their conduct of this Bill as when the Government refused to listen to the almost unanimous prayer of this side of the House that the whole of the landlords' deposit should be exhausted before we come upon the rents. It is a very serious matter indeed. Already the moment a tenant makes default, then from the first the local rates are liable; but how much more serious will it be if, on a certain number of estates, the landlords' deposit is exempted from any liability whatever. I should be very ready to vote for the first section of the clause of my hon. Friend, for I consider the Insurance Fund will, in its operation, be exceedingly disastrous. I believe it will raise the selling price of estates in Ireland, and prevent the sale of exactly those farms we most desire to see sold under this Act. For this reason, I should vote for the first of these clauses, but when I come to the second I must say that I cannot imagine anything to which we on this side of the House are bound to give a more determined opposition. Personally, I can see no relation between the amount of tenant right paid on an estate and the question whether or not the landlord's interest ought to be liable. Most just, in my opinion, is this liability of the landlord. A landlord and tenant make an agreement to sell and to buy, and they are exactly in the position of people who draw and accept a Bill. The Bill is discounted by the British Government, in the position of the backer. In a case of this kind both drawer and acceptor are liable. The tenant is liable to the full extent of his interest; the landlord is liable to the extent of one-fifth, and by the second proposal of my hon. Friend, adopted by the right hon. Gentleman opposite, it is proposed to dispense the landlord from even this liability, and it is quite impossible that we on this side of the House can accept such a proposal as that. It was bad enough to whittle down the landlord's liability as it has been whittled down, making him liable only *pari passu* with the ratepayer, but further than that we will not go.

*(11.3.) MR. T. W. RUSSELL: Two questions are involved here: first of all, whether, if the Amendment of my hon. Friend is accepted, the security left will be sufficient for the State, and nobody who knows anything about Ulster tenant right in counties such as Down and Antrim, where the tenant right sometimes sells at £20 an acre, can doubt that the security to the State will be ample though the Amendment of my hon. Friend were accepted to the full. The next question is, will the Amendment, if carried, facilitate land purchase? I say it will. I hold that we ought not to check land purchase simply because while conferring a boon upon the tenant we also confer another boon upon the landlord—simply because if you liberate the tenant from his Insurance Fund you are called upon to liberate the landlord's guarantee deposit. There is an affirmative reply to both questions, the State will be amply secured, and, I maintain, that the Amendment, if carried, will materially facilitate land purchase in a great part of Ireland.

MR. LEA: On a point of order, Sir, may I ask whether, I having moved a certain clause, and the right hon. Gentleman having suggested an alternative clause, the latter can be accepted in place of mine?

*MR. SPEAKER: Such a complete transformation of the clause could not be moved without notice.

MR. M. HEALY: The hon. Member for South Tyrone says if the Amendment would facilitate land purchase we ought not to refuse it, because it benefits the landlord; but suppose it benefits the landlord at the expense of the rates?

MR. A. J. BALFOUR: On the point of order, Sir, I understand you have ruled that my Amendment cannot be moved, and I would ask you, therefore, would it not be out of order to discuss it at the present time?

*MR. SPEAKER: The Amendment amounts to a new clause, and as such cannot be moved without notice. Of course the discussion of an Amendment not before the House would not be in order.

MR. M. HEALY: As I understand your ruling, Sir, at present the first part of the clause is under discussion?

*MR. SPEAKER: That is the only question before the House at the moment.

MR. M. HEALY: Then what does the right hon. Gentleman propose to do upon the clause? Does he mean to say "Aye" or "No" to it?

MR. A. J. BALFOUR: "No."

MR. M. HEALY: It comes to this then, that he objects to the clause because it does not carry benefit to the landlord——

MR. A. J. BALFOUR: I gave reasons why the clause should not be accepted quite apart from that.

(11.8.) MR. M. HEALY: Well, as I had not the good fortune to hear those reasons I will not attempt to discuss them. I shall certainly vote for the first clause no matter what happens to the second, and though I should have to vote against the second clause I shall vote for this clause, not that I think it is of very great advantage, but because it does something to do away with the evil effects of probably one of the worst clauses in the Bill, that in reference to the tenants' insurance. I am satisfied that clause will go far to render the Bill abortive. I am in favour of a policy of land purchase, and shall vote for any Amendment designed to remove to a slight extent the evils of that clause. This Amendment goes to a slight extent in that direction, it is peculiarly an Ulster matter, and I shall support the hon. Member. I do not think it would make much difference in the South of Ireland. The method of calculating tenant right by the acre prevails to a very small extent in Munster, and I imagine the clause would practically be inoperative there. In Ulster it will, no doubt, have some effect, and will do something to modify the evil effects of the tenants' purchase insurance required by the Bill. When a man's interest is of such a character as to bring sums as high as £10 an acre, that does supply sufficient reason for dispensing with the insurance security.

MR. PIERCE MAHONY: In so far as the clause attacks the principle of the Insurance Fund I give it my support. I fully agree that tenant right in Ulster is a property far in excess of the amount of the Insurance Fund, and the latter might well be dispensed with. As regards the guarantee deposit, that ought to be put on an equality with the ratepayers' liability. The things are so mixed that it is impossible to discuss them separately. However, I shall vote for the first clause, but against the second; but as the right hon. Gentleman has announced his intention of opposing the first clause, and I suppose he will do so successfully, I presume the hon. Member will not find it necessary to move the second.

(11.15.) The House divided:—Ayes 85; Noes 145.—(Div. List, No. 256.)

*(11.25.) MR. LEA: I do not propose to move the second part of the clause, but in the modified form proposed by the right hon. Gentleman the Chief Secretary, I should be prepared to accept it. Perhaps the right hon. Gentleman will undertake that it shall be moved in another place. It will secure a portion of what I seek to attain. Now, I have to propose the clause relating to advances to purchasing tenants under the Church Act of 1870 and the Bright Clauses of the Land Act.

MR. SEXTON: May I ask what has become of the Amendment standing in the name of the hon. Member for Cambridge?

*MR. SPEAKER: It was not moved.

*MR. LEA: It will be in the recollection of the House that in 1887 certain improvements were made in the status of the tenants who purchased under the Church Act of 1869 and the Bright Clauses of the Act of 1870; but one fault has always been found with the action of the Treasury, who limited the advantages thus given to a selected number of the more necessitous tenants. The great fault was that the benefit was not given to all tenants, and now I propose that it shall be made compulsory to apply the advantage of that Act in all cases where the tenants choose to avail themselves of it. The advantages are not very great, the extension of the instalments over 49 years and a reduction of the rate of in-

terest. The Treasury have, I think, agreed to the latter part, but they have not extended the period to 49 years. That is the first portion of the clause I propose to introduce, the other is a rather different matter. I only propose to move at the present time a new clause providing that any tenant of a holding purchased under the Irish Church Act or the Land Act of 1870 may apply for and receive from the Land Commissioners an advance to pay off the sum still remaining due on the amount agreed to be paid for the purchase of the holding. It is not a very large amount involved, but it affects tenants who are deserving the highest possible praise for the efforts they have made to keep up their instalments. Many of the purchasers under the Church Act bought at 28 or 29 years' purchase, and under the Bright Clauses of the Land Act at 26 or 27 years, and these tenants have kept up their instalments with wonderful regularity during very trying times. I think they are entitled to every consideration and advantage it is possible to give them under this Act.

New Clause—

(Advances to tenants.)

Whereas under "The Irish Church Act, 1869," "The Landlord and Tenant (Ireland) Act, 1870," and "The Landlord and Tenant (Ireland) Act, 1872," advances to tenants were authorised for such proportions of the money required for the purchase of their holdings, and upon such conditions and terms as therein specified, and whereas, notwithstanding that such terms and conditions were altered and modified by "The Irish Land Act, 1887," in certain cases, and to the extent therein mentioned, there still remains an inequality which presses severely and injuriously on the purchasers under those earlier Acts as compared with the advantages provided under "The Purchase of Land (Ireland) Act, 1885," and "The Irish Land Act, 1887," be it therefore enacted as follows:—

On the application of the tenant of any holding purchased under "The Irish Church Act, 1869," "The Landlord and Tenant (Ireland) Act, 1870," or "The Landlord and Tenant (Ireland) Act, 1872," and whether the annuities or instalments payable out of such holding have been altered under the provisions of "The Irish Land Act, 1887," or otherwise; and if, upon due investigation, they find that any portion of the purchase money other than the advance made by the State was borrowed by the tenant and still remains due, the Irish Land Commissioners shall make such further advance as may be required to pay off such debt, and shall pay it off: Provided that, upon due inquiry, the Land Commission is satisfied that such holding is sufficient security for such advance when added to the portion still unpaid of the original State loan or advance.

The Land Commission shall ascertain the present capital value of the annuities or instalments still remaining unpaid of the original advance, and shall add such capital sum to the amount advanced under this section, and repayment of the total sum so found shall be provided for by an annuity for 49 years from the first day of May or the first day of November next preceding the date of the application under this section of such amount as shall be found by the Land Commissioners to be required to repay it by half-yearly instalments, calculating interest at three and one-eighth per cent,"—(*Mr. Lea,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

(11.35.) MR. GOSCHEN: I think the suggestion of the hon. Member goes beyond the advantage given in the Act of 1887, because, as I understand, he suggests two points: the extension of time which comes in under the 2nd clause, and also the advance of the balance of the purchase money owing.

MR. LEA: I was about to move both clauses, but I am only at the moment moving the first.

MR. GOSCHEN: From the statement it appeared that the hon. Member simply meant to extend the discretion given in the Act of 1887, but I did not gather from the hon. Member that his proposal was to advance the balance of the purchase money owing. My objection is that to accept the proposal would make an inroad into the £30,000,000 which has been allocated for other purposes, and would, therefore, in some degree defeat the object of the Bill—the extension of the system of land purchase—to the extent of the amount required to meet these balances. It would restrict the extension, and so we cannot accept the clause.

*MR. T. W. RUSSELL: If my hon. Friend consents not to press this Amendment relating to advances to tenants under the Irish Church Act of 1869, and the Landlord and Tenant Acts of 1870 and 1872, will the Chancellor of the Exchequer undertake to give favourable consideration to the next Amendment, which will give purchasers under the above-mentioned Act an extension of time for the repayment

of the money advanced to them? I think it is proven that the Act of 1887 operated with great inequality as between the wealthier and the poorer classes of tenants. I would consequently ask the Chancellor of the Exchequer whether he would not consider the question of giving to all these purchasers alike an extension of time.

MR. GOSCHEN: In reply to the hon. Gentleman, I have to say that the clause now under discussion cannot be accepted by the Government, because it will involve the making of too great an inroad upon the money to be devoted to the purposes of the Bill. It would be out of order if I were to say what I shall be called upon to state in regard to the next clause; but when that clause is reached, I will explain the views of the Government with regard to it.

MR. SEXTON thought that the sum involved, if the Amendment were agreed to, would be comparatively inconsiderable. The position of the tenants who had bought under the earlier Acts relating to land purchase ought, so far as possible, to be assimilated to the position of the tenants who would purchase under the present measure. It would be a graceful and wise concession on the part of the Government to accept the Amendment.

(11.40.) MR. M. HEALY: I think this is a clause in which the Chancellor of the Exchequer might well re-consider the position he has taken. I think he must see that the tenants generally are entitled to some such measure of relief as is here imposed. They are all situate in the Province of Ulster, and I cannot believe that other tenants in other parts of Ireland grudge them the sum which this proposal would enable them to acquire in order to carry the Amendment into effect. Everybody knows that these glebe tenants purchased at an enormously high rate, paying a large excess on the average prices since established as the value of the land in Ireland. The Land Act of 1869 was the first step towards a peasant proprietary in Ireland, and men who purchased under it, and, were the pioneers of land purchase in that country, have ever since been paying the penalty of having taken advantage of that Statute. They have had to pay high prices and to borrow at a large amount of interest, and, therefore, have been situate in a singularly unfavourable manner as compared with the tenants who have purchased holdings under more recent enactments. It would be a mere act of Parliamentary pedantry on the part of the Chancellor of the Exchequer to stick to the miserable point which has been raised as to the £30,000,000 limit as against the interests of the large number of tenants who would be benefited by the carrying of this Amendment.

(11.44.) MR. M. J. KENNY: I trust the right hon. Gentleman will give serious attention to this point, because I think there is no class of tenants in Ireland who are more deserving than the glebe purchasers, because they had, in the first instance, to purchase at very high rates, and to borrow what money they required at a high rate of interest. The result is, that they have been ground down by the outstanding debt. No doubt, in 1887, their position was to some extent recognised, because power was then given to extend the period of repayment for nine years. But, inasmuch as they had to borrow money, apart from what they obtained from the State, and to pay this heavy interest, the outstanding balance has continued to press upon them down to the present time. Consequently, they are still far from being in the same position as the purchasers under the Ashbourne Act. This Amendment, if accepted, would have the effect of bringing the glebe purchasers into the same position as those under the Ashbourne Act by enabling them to compound the outstanding debt. I would also point out, as a matter worthy of the consideration of the Government, that these men have been paying their instalments for something like 20 years; and having to that extent redeemed the land in their occupation, their holdings offer a better security than those purchased at the present time. They have actually acquired half the fee-simple of their holdings, and having been thrifty, industrious, and punctual in their payments, especially since 1887, they deserve consideration from the Government.

MR. DICKSON (Dublin, St. Stephen's Green): I think I know more of the

circumstances under which glebe tenants purchased than most of the hon. Members behind me. I know that they purchased at something like 30 per cent. beyond the present average value, and at from 23 to 28 years' purchase, in addition to which many of them have been paying to outside money lenders 10 per cent. for money borrowed. I am sure there is not a more deserving class of tenants than these men, and I would respectfully urge the Chancellor of the Exchequer to place them in a position of perfect equality with the other tenants. I am certain that probably not more than £50,000, but certainly less than £100,000, would meet the entire case.

*(11.50.) MR. GOSCHEN: As this clause is drawn, the Land Commissioners are to make the advances, but I would point out that the Land Commissioners have no funds at their disposal for such a purpose. However, I will look into the matter, ascertain the amount involved, and see whether the case of those tenants can be met. I am not aware whether the case could be dealt with under the Ashbourne Acts or not, but as the clause stands I am unable to accept it.

MR. M. HEALY: I would suggest the clause should be read a second time, and the Chancellor of the Exchequer then bring up an Amendment to it.

MR. GOSCHEN: I could not agree to that course.

MR. LEA: Can the Chancellor of the Exchequer bring up a new clause to-morrow to give effect to the object in view?

MR. SINCLAIR (Falkirk, &c.): The glebe tenants have bought on very onerous conditions; they have, however, paid up well, and no suggestion has been made that they should be relieved of any part of the principal. Their case certainly deserves consideration. If the Chancellor of the Exchequer can bring up a new clause applying a portion of the money available under the Ashbourne Acts to the present case it would meet the difficulty. If it cannot be done in this House, it might be done in another place.

MR. COURTNEY: If we had information with reference to the maximum amount which has been borrowed by those purchasers, we would be better able to deal with the matter. I do not understand that the Chancellor of the Exchequer is opposed to the principle of the proposal, but there is a practical difficulty in adopting either of the two suggestions that have been made for the purpose of overcoming the difficulty. I therefore suggest the adjournment of the Debate on the clause, so as to give the Chancellor of the Exchequer an opportunity of bringing up to-morrow an Amendment which will carry out the principle hon. Members have in view.

Debate adjourned till To-morrow.

PUBLIC ACCOUNTS AND CHARGES BILL.—(No. 252.)

Considered in Committee; Committee report Progress; to sit again upon Wednesday.

LAND DEPARTMENT (IRELAND) BILL (No. 112.)

Order for Committee read.

MR. SEXTON (Belfast, W.): I would suggest that the Bill be withdrawn at once, as it is impossible to pass it this Session.

*MR. T. W. RUSSELL (Tyrone, S.): I entirely agree with what has been said by the hon. Member for West Belfast.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): If it will afford general satisfaction to hon. Members opposite, I have no objection to move that the Order for the Second Reading be discharged.

Order discharged; Bill withdrawn.

LAND DEPARTMENT (IRELAND) [SALARIES, &c.]

Order for Committee thereupon read and discharged.

SUPPLY [29th MAY] REPORT.

Resolutions [see pages 1328, 1346, 1347 and 1348] reported, and agreed to.

SUMMARY JURISDICTION ACT (1879) AMENDMENT BILL.—(No. 227.)

Order for Second Reading read, and discharged.

Bill withdrawn.

House adjourned at ten minutes after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, 2nd June, 1891.

BETTING AND LOANS (INFANTS) BILL [H.L.]—(No. 141.)

SAVINGS BANKS BILL.—(No. 142.)

Reported from the Standing Committee with further Amendments: The Report of the Amendments made in Committee of the Whole House and by the Standing Committee to be received on Friday next; and Bills to be printed as amended.

PRESUMPTION OF LIFE LIMITATION (SCOTLAND) BILL.—(No. 104.)

Reported from the Standing Committee, with Amendments: The Report thereof to be received on Friday next; and Bill to be printed as amended. (No. 143.)

HERRING BRANDING (NORTHUMBERLAND) BILL.—(No. 92.)

Reported from the Standing Committee with an Amendment: The Report thereof to be received on Friday next.

EVIDENCE IN CRIMINAL CASES BILL [H.L.]—(No. 121.)

Reported from the Standing Committee with Amendments: The Report thereof to be received on Friday next; and Bill to be printed as amended. (No. 144.)

House adjourned at twenty-five minutes to Six o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 2nd June, 1891.

QUESTIONS.

VERWICK BOARD SCHOOL.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to ask the Vice President of the Committee of Council on Education whether it is true that, on the 28th of April last, the Board School of Verwick, in County of Cardigan, was closed all day, there being distresses for arrears of tithe rent-charge levied at Heollas-Fawr and Hafod; whether, in consequence of the whole holiday being given to the children, they were enabled to take part, and did take part, in the riotous and unlawful proceedings by which the authorities were prevented from levying the distresses; and what action the Educational Department propose to take?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The facts are, I believe, in the main as stated by my hon. Friend, though the occasion for closing the school was not the levy of a distress, but a public sale of distraints previously levied, and the sale was, I am informed, brought to a successful conclusion. The account of what occurred, which has been furnished by the School Board, is not altogether consistent with the information received from other sources, but there can be no doubt that in closing the school the Board made an unwise use of their powers, and one of which the Education Department cannot avoid expressing its disapproval. An intimation to this effect will be conveyed to the Board.

*MR. W. BOWEN ROWLANDS (Cardiganshire): May I ask whether the course adopted by the Board on this occasion was not adopted after consultation with, and under the orders of, the Chairman of the School Board, who is himself a Conservative and a member of the Primrose League, and also with the approbation of the clergyman who levied the distress; whether it is not the fact that the majority of the children are under 13 years of age, and precluded, by their age, from taking part in riotous or unlawful proceedings, and whether the sales were not effected, realising in one case the full amount with costs, and in the other the full value of the distraint?

*SIR W. HART DYKE: I have read the declaration of the Bailiff, and if there is any truth in it some of the children were guilty of very riotous conduct. With regard to the question as to the Chairman, I do not think that that is an element which ought to enter into a matter of this nature; the question is whether the School Board were right or wrong.

MASHONALAND.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for the Colonies whether any British subject has a right to enter Mashonaland without signing an engagement to abide by the regulations of the Chartered Company of South Africa; and whether, if so, there is any precedent for Her Majesty's subjects being precluded from entering into territories belonging to or under the protection of the Queen unless they sign an obligation to abide by the laws and regulations made by the authorities in such territories; and whether Manicaland is within the territories claimed by Lobengula; and, if not, under what Article in the Charter granted to the Chartered Company of South Africa that Company claims to exercise power and sovereignty in that territory?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam (for Baron H. de WORMS): A British subject can enter Mashonaland without signing an engagement such as that referred to; but he cannot prospect or trade without a licence. He would, however, be bound by the laws and regulations passed by the proper authority. If the hon. Member has any documents in his possession showing that well-disposed British subjects are harassed by unreasonable requirements in this respect Her Majesty's Government would be obliged to him if he would give them an opportunity of investigating the grievance. Manicaland is not within the territories claimed by Lobengula, but is included in the countries under Her Majesty's protection; and so far as the Company are taking measures for preserving peace and order there, they are obeying the 10th Article of their Charter. Her Majesty's Government are not aware that the Company claims to exercise sovereignty in Manicaland.

USING FIREARMS.

MR. LABOUCHERE: I beg to ask the Chancellor of the Exchequer whether he is aware that the starter of certain athletic games carried on by an athletic club in Northamptonshire has been summoned before the county magistrates of Northampton for firing off a pistol with blank cartridge in the exercise of his duties, and was fined 10s., with 10s. costs, for using firearms without a licence; and on whose application the summons was taken out?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The statement is correct. Every person who uses or carries a gun is liable to gun licence duty, but, although there is no exemption in respect of a pistol used for starting a race, the Commissioners of Inland Revenue refrain from proceedings in cases where the owner of the ground on which the race takes place is the possessor of a gun licence, and authorises the starter to use a pistol in his official capacity. In the case in question the starter had no such authority to act as starter and to use a pistol in the grounds. He was given an opportunity of paying a small fine, but, as he neglected to avail himself of it, the case was brought before the Magistrates in the usual way. The case was first brought to the notice of the local Excise officer by the police.

MR. LABOUCHERE: Am I to understand that the right hon. Gentleman intends to prosecute everybody who fires off a gun without a licence; for instance, will he prosecute every manager of a theatre where a gun is fired on the stage?

*MR. GOSCHEN: I do not intend to prosecute anybody, nor did I do so in this case; the police brought the facts to the notice of the local Excise officer, and the law took its course.

THE TRIPLE ALLIANCE.

MR. LABOUCHERE: I beg to ask the Under Secretary of State for Foreign Affairs whether he is aware that on May 14 Deputy Chiala, in a speech in the Italian Parliament, in favour of a renewal after February, 1892, for a further period of five years of the Triple Alliance entered into in February, 1887, between Germany, Austria, and Italy for five years, made the following observations, the facts in which were uncontradicted by any Member of the Italian Ministry:—

"Contemporaneously (1887), and to this I call the particular attention of the Chamber, special undertakings were entered into between England and Italy of such importance for the defence of Italian interests, which were recognised as identical with British interests, that when Count Robilant communicated them in general

terms to the Council of Ministers the Honourable Depretis said that, never had any Government in Italy dared to hope to obtain what the Honourable Robilant had obtained, and added 'our position is now secured on sea and land'; so long as Italy and England shall remain (solidali) jointly and severally liable with the Central Powers, I think that it would be too risky an enterprise for France to attempt reconquest even if that Power could count on Russia";

whether Deputy Chiala has accurately described the undertakings entered into between this country and Italy in 1887 as being of such importance that, owing to them, Italy was able, in joining the Triple Alliance, to feel that her position was secured by sea and land, and whether Her Majesty's Government has at any time given such assurances of joint and several liability to the Central Powers that, in consequence of them, France, even with the aid of Russia, would deem any attempt to re-acquire the provinces that she lost in 1870 too risky an enterprise; and whether, in view of the fact that these understandings are being urged in the Italian Parliament as a reason why Italy should renew the Triple Alliance, the Secretary of State will, should there be any truth in the statements of Deputy Chiala, lay before this House all information in respect to the undertakings or assurances alleged to have been given by him to Italy in 1887?

MR. PICTON (Leicester): I wish to ask further whether the right hon. Gentleman has read an article in the *Contemporary Review*, written by an Italian statesman whose period of office was significantly conterminous with that of Signor Crispi, and whether he has observed that in that article it is assumed that the engagement has been entered into, and whether the assumption is justifiable?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The question of the undertakings entered into by Her Majesty's Government was fully discussed in the House in 1888 on an Amendment to the Address moved by the hon. Member, and Her Majesty's Government have nothing to add to the explanations offered on that occasion, and in the answer to a question put by him on the 19th July, 1889.

MR. LABOUCHERE: Am I to understand Her Majesty's Government to declare that the statements made by the Deputy Chiala are entirely destitute of foundation?

SIR J. FERGUSSON: No, I do not say that at all. On a former occasion the hon. Member based his question on a speech attributed to the Commander-in-Chief in the Mediterranean, but it is not for me to say whether the speech in question is rightly reported, or expressed the sentiments of the speaker. I have only to declare what Her Majesty's Government are responsible for, and that I did in great detail on these two former occasions.

MR. LABOUCHERE: If I put down a question, will the right hon. Gentleman give a specific answer, and not refer us to what took place in a Debate four or five years ago. My recollection of that Debate is that there was to a certain extent a sort of diplomatic evasion.

SIR J. FERGUSSON: I think, if the hon. Member will do me the favour of referring to the Debate to which I have alluded, in *Hansard's Debates*, third series, vol. 322, p. 1182, he will see that I gave a precise answer, and the circumstances have not changed since.

MINING INSPECTORS' REPORTS.

MR. DAVID THOMAS (Merthyr Tydvil): I beg to ask the Secretary of State for the Home Department when the District Reports, covering 1890, of the Mines Inspectors will be issued; and whether it would be possible in future years to expedite the presentation of these Reports so that they may be published within a couple of months or so of the close of the period to which they relate?

MR. STUART WORTLEY: Six of the District Mines Inspectors' Reports were delivered yesterday. I am informed by the Stationery Office that the remaining eight will be delivered in the course of the present week. There are many difficulties in the way of securing the presentation of these Reports within so early a period as a couple of months of the time to which they relate, but I think it would be possible to arrange that they should be presented not later than the end of May in each year, and I will endeavour to expedite their preparation and printing at any rate to this extent.

3RD VOLUNTEER BATTALION OF THE WELSH REGIMENT.

MR. DAVID THOMAS: I beg to ask the Secretary of State for War if he is aware of the inconvenience that is being caused by the delay in issuing ammunition for class firing, &c., to the 3rd Volunteer Battalion of the Welsh Regiment; whether this is not likely to seriously affect the amount of capitation grant earned, which now depends entirely on shooting, and impair the high state of efficiency which the battalion has attained; and if he will state the reason for the delay, and when the ammunition will be issued?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I have caused inquiry to be made in this matter, and await a Report. Meanwhile, steps will be taken to secure an immediate supply of ammunition to this battalion.

PETROLEUM EXPLOSION.

MR. FENWICK (Northumberland, Wansbeck): I beg to ask the President of the Board of Trade whether his attention has been called to the explosion of a petroleum vessel at Newport on the 11th May, by which four men and one boy lost their lives; whether any official inquiry has been made as to the circumstances under which the explosion took place; and whether, considering that a large number of vessels are now being employed in the petroleum-carrying trade, and the danger of an explosion occurring when such vessels have to undergo repairs, he will take steps to provide that in future petroleum vessels are carefully examined by some competent person before such repairs are undertaken, so as to prevent as far as possible the occurrence of similar calamities in future?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): My attention has been called to an explosion which occurred on board the steamship *Tancarville* at Newport on the 11th May last. An inquiry into the circumstances is now proceeding. It is being held before two Inspectors, namely, Mr. Mansel Jones, Barrister at Law, and Colonel Majendie, C.B., Inspector of Explosives attached to the Home Office. Provisions for regulating the petroleum carrying trade were included in the Inflammable Liquids Bill, which was introduced into Parliament on the 9th February last and has since been withdrawn.

MR. FENWICK: When the inquiry is completed, will the Report be laid on the Table of the House?

*SIR M. HICKS BEACH: I presume that the usual course will be followed.

GOSPORT BARRACKS.

MR. FENWICK: I beg to ask the Secretary of State for War whether it is true that the "triennial contract" for work, connected with the barracks and forts in the neighbourhood of Gosport, has recently been given to Mr. Barton of Ryde, Isle of Wight; whether he is aware that this gentleman refuses to pay his workmen "such wages as are generally accepted as current in the trade for competent workmen," as decided by a Resolution of this House on the 13th February, 1891; and whether such non-payment of "current wages" constitutes a breach of contract; and, if so, what steps he proposes to take to enforce the same?

*MR. E. STANHOPE: The contract has been given to Mr. Barton, who pledged himself to pay current rates of wages, and I have not received any intimation that Mr. Barton has departed from his pledge.

METROPOLITAN DISTRICT COUNTERMEN.

MR. CREMER (Shoreditch, Haggerston): I beg to ask the Postmaster General if he would explain why the promises of interviews, understood to be made to the countermen of the Metropolitan District on the 9th and 16th of July last, were not kept; whether another application for an interview was received on or about the 17th of October last, and why no answer has been forwarded to such application; and whether he will, at an early date, receive a deputation from the countermen in the Metropolitan District?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): In reply to the hon. Member, I have to state that I had fixed a day to see the countermen of the Metropolitan District early in July, 1890; but owing

to the pressure of very urgent business on the day in question, I was at the last moment prevented from receiving the deputation. Meanwhile, their Memorial had been for some time under consideration in connection with the revision of the postal and telegraph establishments, and certain changes had been decided on which it was arranged should take effect from the 11th July, 1890. I found it impossible to receive them in the interval, and had I been able to do so, it would not have affected the decision of the 11th July. On the 16th July I caused the following communication to be addressed to them :—

"Please inform the countermen who are coming on a deputation to-day that their case has been considered and decided, and that the announcement will be made as soon as possible, and is only delayed in order to make some clerical corrections. Under these circumstances, the deputation will be unnecessary."

I can find no trace of an application dated the 17th October last, and it is not my intention to receive a deputation.

EMIGRATION OF JEWS.

MR. JENNINGS (Stockport): I beg to ask the First Lord of the Treasury whether the Government has received any information as to the accuracy of the statements made in the *Moscow Gazette* and other Russian papers to the effect that societies are being formed for assisting an extensive "emigration of the most indigent class of Russian Hebrews to the United Kingdom"; that steamers from the Baltic "will begin conveying these emigrants to London almost immediately"; and that "60,000 are likely to be landed here before next winter"; and whether the Government will take into consideration the desirability of exercising some check over this wholesale importation of destitute aliens, should it be persisted in?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): We have not received any information as to the accuracy of the statements referred to, but we have asked for a Report by telegraph on the subject. It would be undesirable to make any statement as to the views of Her Majesty's Government until we have some facts to go upon.

DUNDALK AND GREENORE RAILWAY.

MR. JORDAN (Clare, W.): I beg to ask the President of the Board of Trade whether he is able to say to which Railway Company, the London and North Western or the Great Northern (Ireland), belongs the section from Dundalk Junction to Dundalk Quay Station, on the Dundalk and Greenore line; whether he is aware that a filthy and unsanitary open ditch runs for a considerable distance parallel with the rails within the railway ambit; and whether it is competent to the Board of Trade to take cognisance of such a condition of affairs; and, if so, will he take steps to have this nuisance remedied?

*SIR M. HICKS BEACH: I learn that the ditch referred to in the hon. Member's question is on the property of the Dundalk, Newry, and Greenore Railway, but that, as it carries rain water and drainage to the tidal river from the station belonging to the Great Northern Railway Company of Ireland, the cleansing is undertaken by that company. The Board of Trade have no power to deal with the sanitary condition of the ditch. They are informed, however, that the drain is in good order, and does not require cleansing.

LEGCLOUGHFIN NATIONAL SCHOOLS.

MR. M. J. KENNY (Tyrone, Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will state whether, in paying the result fees for the year ending 31st March, 1890, to the teachers of the Legcloughfin National Schools in the parish of Upper Badoney, County Tyrone, a sum of £16 1s. 6d. was withheld from them, although paid for the previous year; and if he will give the reason for this deduction from the teachers' salaries?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): From the Report I have received from the Commissioners of National Education it appears that the sum of £16 1s. 6d. referred to was the amount of a surcharge which it was necessary to make in respect of payments following the results examination in April, 1889, made on the supposition that the schools were entitled to a share from the rates of 1889-90, but which it

was subsequently found could not legally be sustained, inasmuch as up to March 26th, 1889, the Gortin Union, in which the schools were then situated, had been a non-contributory one. At that date the Gortin Union was dissolved, and the schools are now attached to the Strabane Union, which is a contributory one.

CORK COURT HOUSES.

MR. PARNELL (Cork): I beg to ask the Attorney General for Ireland whether his attention has been directed to the fact that it has been decided that the Cork Court Houses Bill does not come within the class of Public Bills, also that the Cork Grand Jury have declined to promote it as a Private Bill; and whether in view of these facts, and the great inconvenience to the Crown in Ireland owing to the absence of a Court House in Cork, the Government can see their way to defray the cost of the promotion of this measure as a Private Bill?

*THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I must ask the hon. Member to postpone this question until Thursday, when I shall be able, I think, to give satisfactory information.

WEST DONEGAL RAILWAY COMPANY.

MR. A. O'CONNOR (Donegal, E.): I beg to ask the Secretary to the Treasury whether his attention has been called to a report in the *Derry Journal* of the 29th May, of a meeting of the shareholders of the West Donegal Railway Company (Chairman, Mr. James Musgrave, D.L.), at which Mr. Soady (Secretary to the Board of Works) said the statement might be made with authority, namely, that the Government had a very serious alternative, that of entering into direct relations with the Great Northern Company, by which the Treasury would make over to the Great Northern the Glenties line, making it broad gauge, making a station at Ballybofey, and taking running powers, which they could get at trifling cost, over the Finn Valley line, and eventually making a broad gauge to Killybegs; whether, as a fact, Mr. Soady did say this; and, if so, whether in his capacity of shareholder or of Secretary to the Board of Works; and whether, as a fact, the Government have entertained such an alternative; and, if so, whether he will lay the details of it upon the Table?

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I have not seen the report in the *Derry Journal* to which the right hon. Gentleman refers, but I have seen a report in the *Londonderry Sentinel*, in which the Chairman said that the idea was to squeeze the Government, who had no alternative in the matter, but that the Government had another alternative, namely, that which is named in the question. I do not know whether this is a correct report of what took place; but the Board of Works have lent money to the West Donegal Railway Company, and are more interested in that Company than any other person or body, and the proposal submitted to the meeting seems to me to have been what ought to have been accepted. I certainly consider the alternative referred to one which is open to the action of the Government.

In reply to further questions by Mr. A. O'CONNOR,

*MR. JACKSON said: I do not think there is any justification for the assumption that an arrangement is being rushed. The question has been under consideration now for a great many months, and I am sure Mr. Soady will be willing to afford every information as to the negotiations that are taking place. He is authorised by the Board of Works to give any information the shareholders desire to have.

SOUTH AFRICA.

*SIR J. SWINBURNE (Staffordshire, Lichfield): May I ask whether the Government will place a map in the Tea Room of South East Africa, showing the boundaries of the Portuguese possessions in that country, and giving the latest information in possession of the Government?

*MR. W. H. SMITH: That may be desirable as soon as the Convention is ratified; but at the present moment it is not possible to do so.

*SIR J. SWINBURNE: But, Mr. Speaker, what we want is to see the map before the ratification, and I would ask the First Lord of the Treasury whether he will have the map placed in the House

before the ratification of the Convention?

*MR. W. H. SMITH: No, Sir.

PARLIAMENTARY AND COUNTY COUNCIL ELECTIONS (METROPOLIS) LISTS OF VOTERS.

Address for—

"Return of the Cost, &c., of preparing the various Borough Lists of Parliamentary and County Council Voters in the Metropolis for the year 1890:—

Name of borough;

Number of divisions;

Number of parishes;

Total population;

Rateable value;

Total number of electors;

Number of persons employed in sending out returns and collecting same; making draft lists of voters, claimants, and objections for printer;

Amount paid for same (a) by way of salary; (b) by way of special fee or overtime;

Cost of printing lists, claims, and objections for revising barrister, and for publication on the church doors, &c.;

Amount received from agents or others for copies of same for registration or other purposes;

Costs of publishing lists on church doors, &c.;

Cost of revision of lists (exclusive of revising barrister's fees and returning officer's charges);

Name, address, and occupation of returning officer;

Amount of salary or remuneration paid to returning officer, and by whom paid;

Duties performed by returning officer;

Cost of printing the register of voters, and by whom paid for;

Number of copies of register printed and number of copies of register sold, and amount received (a) for the whole borough; (b) for the divisions of the borough;

Rateable value of the borough."—(*Mr. Lawson.*)

COUNTY BOROUGHS (RATES AND RECEIPTS FROM LOCAL TAXATION ACCOUNT)

Return ordered—

"Showing the Rateable Value, according to the Poor Rate Valuation, of each County Borough at Lady Day 1889 and 1890; the total amount raised by all Rates in the Borough, excluding Gas and Water Rates, during each of the years ended on the 25th day of March, 1890, and the 25th day of March, 1891; the amount paid out of the Local Taxation Account to or on behalf of the Borough during each of the years ended on the 31st day of March, 1890, and the 31st day of March, 1891; and the amount so paid in respect of the last mentioned year after the termination of that year, the cases which are subject to adjustment being distinguished:—

Name of Borough.	Year.	Rateable value at commencement of year.	Amount raised by rates during the year.	Amount paid out of Local Taxation Account to, or on behalf of, the Borough during the year.	Amount paid to, or on behalf of, the Borough out of Local Taxation Account in respect of the year 1890-91 after the 31st day of March 1891.
	1889-90.				
	1890-91.				

—(*Mr. H. H. Fowler.*)

ORDERS OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 342.)

CONSIDERATION. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Question [1st June], "That the Clause (Advances to Tenants,)—(*Mr. Lea,*)—which was offered to be added on Consideration of the Bill, as amended," be read a second time.

Question again proposed.

Debate resumed.

(4.0.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Since the adjournment last night, I have had an opportunity of looking into the amount that may be affected if the clause is passed. I find the amount so much larger than hon. Members anticipate that I fear it is not possible for the Government to go forward with the clause. The amount sold is £9,794,000, and cash has been received to the amount of £3,362,000. Now, the bulk of the money is, no doubt, borrowed, and there are no means of ascertaining what amount of the money borrowed has since been paid off; but it is estimated by the authorities that there may be an amount outstanding, certainly of £1,500,000, and possibly of £2,000,000. Hon. Members will see that, if we go forward on these lines, irrespective of any administrative difficulties, it may, practically, absorb all that remains over of the money of the Ashbourne Acts. Instead of creating so many new tenants, we might be applying that money in relief of those who bought under previous Acts, and thus we should, practically, be acting in a manner inconsistent with the general policy of the Purchase Acts, which is to extend the number of new purchasers.

MR. SEXTON (Belfast, W.): As far as I can judge, the calculations of the Chancellor of the Exchequer appear to be very loose, and we are entitled to have some better evidence before we consider the matter closed. I cannot agree that this is a matter alien to the policy of the Bill, and I hope the proposal will not be allowed to drop. Will the right hon. Gentleman tell us how many tenants are concerned in this Amendment, what the balance of the money is, and how the rest is to be obtained? It is true that the tenants have gone through a form of purchase, but they still owe large sums of money to the creditors of the State, and they are in a position of great helplessness. I think the Government can do no better thing than admit these tenants to the benefit of the Act, so as to make the ownership complete.

(4.5.) MR. LEA (Londonderry, S.): Perhaps I may be allowed to state that altogether about 4,300 tenants are affected by the clause; and if relief cannot be given to them under this Bill, the Government ought to consider in what way relief can be given. The tenants have had to borrow one-fourth of the sum necessary to pay for their holdings, and about one-fourth of them have, I have been informed, been sold up by the money-lenders, through whom the money was obtained at interest varying from 5, 6, or 7 to 10 per cent. That statement is, I think, a serious one, and the tenants deserve some consideration. If it cannot be given under this Bill, the Government ought to consider how it should be given.

(4.10.) MR. SHAW LEFEVRE (Bradford, Central): I regret that the Chancellor of the Exchequer is unable to accede to the clause, and I would suggest that the objection might be met if the clause were limited to small holdings. Some years ago I had occasion to inquire into the condition of the tenants who bought under the Church Act, and I found that the statement made by the hon. Member for Dublin last night was fully borne out. The tenants bought at the top price in the market—22 and 23 years' purchase; the rates were notoriously high, and the property was in a very bad condition.

MR. M. HEALY (Cork): Has the Chancellor of the Exchequer included sales made to persons who were not occupying tenants?

MR. GOSCHEN: Two-thirds of the amount is for occupying tenants. I have consulted the highest authorities, and am assured that the amount required would not be less than £1,000,000 or £1,500,000.

Mr. M. HEALY rose again, but was informed by Mr. SPEAKER that he had exhausted his right of speaking.

*(4.15.) MR. JORDAN (Clare, W.): I think the Chancellor of the Exchequer might find some way out of the difficulty. It is idle for the right hon. Gentleman to suppose that the scheme of the Government will only involve the expenditure of £30,000,000. If the present Government do not supply more money another Government will. It would be just as well, therefore, to do now for the glebe purchasers what the supporters of the clause desire. I feel bound to ridicule the idea that if this clause is agreed to the British taxpayer would run any risk.

MR. SEXTON: As a matter of order, I wish to ask if it is possible to separate the second paragraph of the clause from the first and third, so as not to involve the two questions which are altogether separate?

*MR. SPEAKER: That may be done by an Amendment in the clause after it has been read a second time.

(4.20.) The House divided:—Ayes 117; Noes 144.—(Div. List, No. 257.)

*(4.33.) MR. LEA: I now move the clause "Extension of time for advances." By the action of the Treasury 326 of the purchasers out of a total of 2,500 have been deprived of the benefit which was intended for them by Parliament. I propose that all should have the right which I believe the clause in the Act of 1887 intended for them. Under this Bill the Irish Church surplus will be used as a security for the congested districts. Who created that surplus? It was the tenants who paid such enormous sums under the Act of 1869, and therefore they are entitled to some consideration out of that surplus.

New Clause—

(Extension of time for advances.)

"Whereas under 'The Land Law (Ireland) Act, 1887' (fiftieth and fifty-first years of Victoria, chapter thirty-three), the Land Commission was authorised (sections twenty-five and twenty-seven), in any case in which the special circumstances justified so doing, to grant an extension of time not exceeding forty-nine years to purchasers of land under section fifty-two of 'The Irish Church Act, 1869,' and also to purchasers under 'The Landlord and Tenant (Ireland) Act, 1870,' and 'The Landlord and Tenant (Ireland) Act, 1872,' as amended by section thirty-five of 'The Land Law (Ireland) Act, 1881,' and under section twenty-five and under section twenty-six of 'The Land Law (Ireland) Act, 1881,' be it hereby enacted as follows:—

On the application of any tenant purchasing under such Acts, the Land Commission shall grant such extension of time, so that the term shall not exceed forty-nine years from the date of advance, and shall adjust the annuity and vary the order accordingly,"—(*Mr. Lea,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

MR. SEXTON: I beg to support the clause, on the ground that it concerns only 326 tenants, and that it involves no fresh outlay, as the Chancellor of the Exchequer will not have to surrender one single 6d. of his cherished £1,000,000.

(4.37.) MR. GOSCHEN: I think that scant justice has been done to the action of the Treasury. Out of upwards of 2,500 purchasers some 2,262 have obtained the desired advances. I cannot accept the clause, because in most cases the amount outstanding is so small that it would be ridiculous to give 49 years. But what I would be willing to do is to put the remaining instalments on such a footing that none of the tenants shall pay more than 4 per cent., made up of $3\frac{1}{8}$ and seven-eighths for the Sinking Fund.

MR. M. J. KENNY (Tyrone, Mid): I think the compromise suggested by the right hon. Gentleman is a fair one, but it will be necessary to alter the clause.

*MR. LEA: Under the circumstances I will not press the clause.

Motion and Clause, by leave, withdrawn.

*(4.40.) MR. T. W. RUSSELL (Tyrone, S.): I beg to move the clause which I have placed upon the Paper relating to glebe tenants. There are a considerable number of tenants who have not purchased under the Irish Church Act of 1869. The Land Commission is the landlord of these tenants, and can only sell to them under the Church Act, and the term would be 38 years for re-payment, they also finding one-fourth of the purchase money. This clause would enable these tenants to purchase under this Act instead of the Irish Church Act.

New Clause—

(Glebe Tenants.)

"Notwithstanding anything in Section fifty-two of 'The Irish Church Act, 1869,' when the Irish Land Commission, as representing the late Commission of Church Temporalities in Ireland, sell any land in pursuance of 'The Irish Church Act, 1869,' to the occupying tenants thereof, they may credit the purchaser with the whole or such part of the purchase-money as they think proper, on having payment of same with interest at the rate of three-and-one-eighth per cent. per annum secured to the satisfaction of the Commissioners, and any such purchase-money may be made payable by half-yearly instalments not exceeding ninety-eight in number,"—(*Mr. T. W. Russell,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

MR. SEXTON: This is simply a proposal to bring the policy of land purchase up to date in respect of a certain number of tenants. It would be strange that the Land Commission should be bound by the Church Act to deal with their own tenants in a less liberal spirit. It would be against the policy of this House to maintain exclusion against any body of tenants.

(4.45.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I entirely agree with what has fallen from the hon. Member for West Belfast, that our object should be to deal with these tenants as with other tenants in Ireland, and to give them the advantage of the new system of purchase. But my hon. Friend who moves the clause will see that the Government can hardly accept it in its present form. We have many times pledged ourselves and the House against being parties to the extension of the Ashbourne Act, or any other Act for land purchase, without any collateral security. There is no power given in the clause to retain the landlord's fifth. What I am prepared to do is to bring these tenants under the ordinary operation of the Bill, and that, I think, could be done by leaving out all the words after the word "thereof," and substituting the following words:—

"The sale may be deemed to be a sale under this Act, and may be carried out accordingly."

Question put, and agreed to.

Clause read a second time.

MR. M. J. KENNY: I would suggest that it should be that the sale "shall be" carried out.

Amendment proposed,

In line 5, to leave out all the words after the word "thereof," and to insert the words "The sale may be deemed to be a sale under this Act, and in such case shall be carried out accordingly."—(*Mr. Attorney General for Ireland.*)

Amendment agreed to.

Clause, as amended, added.

(4.52.) MR. SEXTON: I now beg to move the clause standing in my name. A deputation of evicted tenants has been to London, and on their return they reported that they had had a favourable interview with the Chief Secretary, who took a deep interest in their case, and although he gave them no promise, yet encouraged them to conclude that he intended to take their case into his consideration. The right hon. Gentleman would hardly have raised hopes in the breasts of these poor men unless he intended to do something to satisfy those hopes. The deputation also reported that they had had an interview with the hon. and gallant Member for Armagh (Colonel Saunderson), who admitted to them that the case of the evicted tenants was a hard one, but the hon. and gallant Member is not now in his place, and on a former occasion he did not say a word to indicate that he wished to mitigate the hardships of these evicted tenants. This is probably the last opportunity there will be of bringing forward the case of these tenants. It is the last opportunity the Chief Secretary will have, as Chief Secretary, of contributing to the tranquillity of Ireland so far as it is affected by the position of these tenants. The right hon. Gentleman has great power and great responsibility; upon this question he has practically despotic power, because the Members of his Party will not listen to the Debate, but when the Division bell rings they will troop into the House to do his bidding. Therefore, I hope the right hon. Gentleman will pause and consider before he throws his last chance away. It appears very likely that the term of his power is drawing to an end, and if he leaves this difficult and dangerous agrarian question unsettled the effect on the country will be very bad. He will leave a legacy of disorder to those who

will be responsible for the conduct of public affairs after him, and such a legacy would react upon his Party and himself. Can there be anything but unhappy consequences if the landlords of Ireland are encouraged to sell holdings to emergency tenants and casual occupiers to the exclusion of those who have created the greater part of the value of the holdings, or are the descendants of those who have done so? If a landlord sells holdings to these planters, can he expect to sell the remainder of his holdings to genuine tenants? Genuine tenants will be bound by their sense of equity, and by natural feeling to the evicted tenant, to whom the value in the holdings belonged. If these casual tenants, who are put in merely as agents, abscond at some future time, one-half of the loss will fall upon the rates of the county. If the casual holders are to be preferred to the evicted tenants, the tenants of the county will have their minds set against the policy of land purchase altogether. What would happen in England if tenant farmers, who are joint owners of their holdings, and who, through the unreasonable conduct of their landlords, have been evicted for a year or two, were to be deprived of their right to purchase under an Act of this kind? What chance will there be of tranquillity if 50 or 100 of these casual holders are to be made permanent freeholders, to the exclusion of the men who have put the value into the soil? What are called "ancestral homes" do not belong to the nobility only; they belonged to men of all ranks, and if the exclusion of evicted tenants, which is proposed in Ireland, were to be carried out in England there would be an agrarian revolution. Whenever landlords have resorted to this policy, and in carrying it out have done violence to the public conscience by introducing strangers upon their properties to the exclusion of rightful tenants, the results have been disastrous, and in some cases tragic. There are no blacker pages of Irish history than these. If some landlords had not refused to deal with their tenants in an equitable spirit, the Plan of Campaign would never have been developed. Who stands up in defence of Lord Clanricarde?—the type of a class of Irish landlords, of a class, a limited class, who, by the misuse of their power, are responsible for very much of the crime and disorder that has prevailed in Ireland. These landlords have refused concessions which had been made by the general body of landlords, and have been unwilling to resort to arbitration, by which serious difficulties might have been avoided. Tried by any test you please—by the concessions made by landlords themselves, or by the result of arbitration where it has been resorted to—it must be admitted that the demands put forward by those tenants before eviction were just demands. Two sayings of the right hon. Gentleman have become classical. He said that if he were an Irish tenant, and the landlords combined against him, he should combine against the landlords. That statement was the germ and the justification of the Plan of Campaign. The other saying of the right hon. Gentleman, which has also become classical, was that if he were an Irish landlord with evicted tenants he would be glad, even at a pecuniary loss, in the interests of the peace of his district, to restore those tenants. I ask the right hon. Gentleman to apply those sayings to the present case, to apply to himself as the head of the Irish Executive the feelings which he says would actuate him were he an Irish landlord. My former Amendment on this point was open to a technical objection, a mode of reply to which the right hon. Gentleman always flies, true as a needle to the pole, no matter how important the Amendment may be. He told me that if the Amendment were accepted it would punish the other tenants, because it provided that the landlord should not sell the farms. I told the right hon. Gentleman on the spot that I was willing to confine my proposition and to allow an unfettered right to sell. The arguments, however, had no effect. The right hon. Gentleman as usual had made up his mind beforehand, and he could not be moved. I hope, however, he will treat this Amendment in a different spirit. My present proposal is that the evicted tenant shall have priority in purchase, provided the Land Commission are satisfied that he is a proper person to receive an advance. The right hon. Gentleman may say that this attacks the interest of the tenant in possession. But the right

hon. Gentleman well knows that in many cases these men are not genuine tenants; they are in receipt of weekly wages, and the farms have been stocked by political associations; some of them have not even gone through the form of tilling the land, which is now uncultivated; and I do not think I go too far when I assert that the case, so far as the tenants in possession are concerned, might be met with a gratuity from the landlord. This it would be well worth his while to pay for the sake of selling his whole estate, which he can not otherwise do, for the other tenants will not combine to purchase with these squatter tenants. If the farms are sold to these tenants, the security will be bad, for the security consists of the value of the holding and the character of the tenant. I know we are told that the Land Commission is not charged with the duty of inquiring into the character of the tenants, but it is their duty to see that the holding affords ample security for the advance, and if the tenant is one not able to cultivate the land the security cannot be good, the tenant will fail to pay, and the liability will fall on the county with results fatal to social order. The right hon. Gentleman said that if the security is good there is no reason why the sales should not take place. I reply that there is every reason, because an interest in the farms and buildings belongs to the evicted tenant. Of course in law he has surrendered that interest, possibly because his rent was in arrear a year or two, but that does not disturb the equity of the case. These men or their ancestors created a property in the holdings, and that property you propose to allow the landlord and the squatter tenant to divide between them. That surely is contrary to equity. If the right hon. Gentleman can restore peace to these troubled districts by reinstating these people in their holdings, he will accomplish something worth doing, his policy will be one worthy to be gratefully remembered; but if, on the other hand, he makes them outlaws, hanging on to the outskirts of their old homes, he will destroy all chance of social order in these districts. There will then be no chance of social order, for you will have intruders enjoying property created by the life-long labour of the evicted tenants who will be hanging about the farms, and who will possess the sympathy of the general community. I hope that some representative of the landlord class in the House will support me in this appeal, and that the right hon. Gentleman will accept the Amendment. If the Amendment is rejected, these evicted tenants will be a trouble to Parliament and to the Government of Ireland, to whatever Party it may belong, as well as to the Irish people, for many, many years to come.

Mr. Sexton

New Clause—

(Priority in purchase to tenants whose tenancy had been determined by process of law.)

"No advance shall be made under the Land Purchase Acts, 1885 and 1888, or under this Act, for the purchase of any holding by any tenant who has agreed to purchase the holding if it be proved to the satisfaction of the Land Commission, on the application of any person who was at any time between the first of January one thousand eight hundred and eighty and the first day of January one thousand eight hundred and ninety-one in occupation of the holding, and whose tenancy was determined by any process of law, that such person formerly in occupation is willing to apply for an advance to enable him to purchase the holding at the price which the tenant applying for an advance has agreed to pay, unless it be proved to the satisfaction of the Land Commission that such person formerly in occupation would not be a fit person to receive such advance,"—(*Mr. Sexton,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

(5.14.) MR. MACARTNEY (Antrim, S.): I am not surprised that the hon. Member has raised this question, and I do not believe that any Member of the Party opposite could have raised it with greater ability, or with more chance of securing the attention of the House to it. The hon. Member, however, has given effect to the case of the evicted tenants as if it were the outcome of a legitimate agitation, but during the course of the agitation in Ireland the hon. Gentleman has not been mixed up in the rougher work in that country. He has confined himself to presenting its results in telling form to this House. I do not wish to import any heat into this Debate. I quite admit the importance of the question the hon. Gentleman has brought forward, but I am not prepared to support the appeal the hon. Member has made to the Government.

The hon. Member has urged the acceptance of his Amendment on the ground of expediency. That is a ground which this House ought not to take into consideration. This is eminently a question not of expediency, but of principle. Some remarks of my hon. and gallant Friend the Member for North Armagh have been alluded to by the hon. Member. If my hon. and gallant Friend said that the case of these tenants was a hard one, I quite agree that it is. Indeed, I think it is a desperately hard case, but I and my friends have had nothing to do with producing that hardship. If the case of these tenants is hard, they must lay the blame upon the other guides they have chosen. I do not believe that there is a single case connected with any estate in Ireland where there have been what the hon. Member calls wholesale evictions in which every reasonable attempt has not been made by the landlord to come to terms with his tenants. What is the position in which the hon. Member's clause would place the landlord and his present tenant? I will take a most extreme case first of all. Under the clause a landlord would be unable to sell to a tenant who may have been paying him rent and farming the land for 10 years, unless he is prepared to risk an action for libel or defamation of character, for that is what it comes to.

MR. SEXTON: No.

MR. MACARTNEY: That is undoubtedly the purport of the hon. Member's clause. It practically is the same as that clause in the Land Act of 1881, which enables an Irish landlord to object to a purchasing tenant, but which if he fails to substantiate his objections renders him liable to action for defamation of character. There is no end of inconsistencies which might be pointed out. I do not, however, wish to base my opposition upon extreme cases, but upon the principle which underlies the clause. It is said that those who have taken the places of the evicted tenants are not *bonâ fide* agricultural tenants, but men gathered up from the highways and by-ways of Ireland, that they have no agricultural knowledge and are unfitted to be considered under this Bill. I am not prepared to speak with authority of the estates in the South and West of Ireland, but I can speak with actual knowledge of the Massereene Estate, and in every single instance there the men are agricultural tenants of the best character, and most capable men. Those men are just as good security as men whose ancestors have been on the land for 200 or 300 years. There is not the slightest danger that there will be any difficulty because some of these men may be included. Popular opinion in Ireland has undergone a great change within the last few months, and the hon. Member has conjured up a danger which no longer exists; there is no longer any inclination on the part of the tenants to take the advice of those who have misled them and caused such disastrous consequences to them, or to run any risk of their future in order to satisfy a policy by which they see in the long run that they get no benefit. They will not do that in order to satisfy those who up to the present have used them as their dupes. I beg leave to tell the Government that whatever course the Chief Secretary may adopt with regard to this Amendment, for my own part I feel so strongly on the matter that if I can get only one supporter I shall divide the House against the clause. I can conceive nothing more repugnant to the vast body of Irish tenants, who have adhered to their legal obligations and respected law and order and paid their rent, than to be told that men who have been just as capable of paying their rents as they are, but who have outraged all the laws of honesty, are to be given precisely the same benefits as they are. The hon. Member says the tenants were evicted because they found it impossible to pay their rents.

MR. SEXTON: No; what I said was that the abatements which they asked and were refused, and the refusal of which led to their eviction, were abatements proved to be just by the decision of the Courts and by the results of arbitrations as well as by the concessions ultimately made by the landlords.

MR. MACARTNEY: That proposition does not hold good either on the Massareene or the Olphert Estates. On the Olphert Estate 55 tenants had paid up five years' full rent and costs before the evictions, and all would have submitted if they had been allowed by those responsible for the agitation on the estate. But I do not wish to argue that point or to convert this Debate into

a wrangle between ourselves and hon. Members opposite. I maintain that this clause will be looked upon as an unreasonable concession to the very class who ought to have nothing done for them, and, instead of settling the difficulties which have sprung from the agrarian agitation, I believe it will lay the seeds of future agitation and create enormous difficulties for Ireland during the rest of this century.

*(5.25.) MR. S. SMITH (Flintshire): This is a question of enormous importance, and upon its settlement will, I believe, almost entirely depend whether the Bill proves successful in securing social order in Ireland. I do hope that the Government will be able to give a kindly consideration to the clause, because from what I have myself seen in Ireland I am sure that unless some mode can be devised for putting back these evicted tenants on the land it will be impossible to restore social peace in Ireland. As one who regards with admiration the fair and honest way in which this Bill is being promoted in this House, and as one who has a sincere desire to restore order in Ireland, as one who has from the beginning supported a policy of land purchase for Ireland, I do think something should be done to re-instate the old tenants. I refer especially to those who have been evicted of late years, as it would be difficult to go back to cases where the tenants were evicted 10 or 12 years ago, and are perhaps now scattered in many directions. There are, however, scores of estates from which tenants have been displaced, and on the skirts of which may now be found 20, 50, or 100 persons, all hoping to be re-instated in their farms. Again, some of the men who have replaced the evicted tenants are men of bad character, and if something is not done they will establish a festering sore which would disturb the peace of Ireland for ages to come. A settlement which does not provide for the re-instatement of evicted tenants will never be recognised by the Irish people. I have supported the policy of land purchase in Ireland, and I give the Chief Secretary the fullest credit for wishing to do what he can to settle this running sore. For my own part, I have never spoken a word in favour of the Plan of Campaign. Some of these tenants have been undoubtedly misled by men who might have known better, and have been foolishly induced to throw up their land, to lose their savings, and to forfeit their rights owing to these unhappy disputes. But we have not now to consider whether their action was legal; we have to consider what is a statesmanlike course to pursue. We want, and I believe the Chief Secretary wants, to bring about a settlement, and to produce social peace, happiness, and contentment in the country. I believe the Government are as anxious as we are to do this, but I assert that if you exclude the evicted tenants from the settlement you will leave behind you a rankling sore which will burst out in the future. I hope the Government will look kindly at this matter. I think the proposal contained in the Amendment is hardly workable, and that something more moderate is required. In many cases the evicted tenants have disappeared, but there are numerous cases in which the evicted farms are occupied by mere caretakers and emergency men, and it would be a complete abuse of this Land Act to recognise them as *bonâ fide* tenants. Let us try, by our united wisdom, to disentangle this very difficult question, and secure a lasting settlement.

(5.31.) MR. PIERCE MAHONY (Meath, N.): May I point out to the hon. Member who has just sat down that the object of this clause is to secure the re-instatement of such evicted tenants as are in existence, and are willing to give as good a price as the newly-introduced tenant? The hon. Member for South Antrim argued that this should be treated as a question of principle, and not of expediency. He is greatly opposed to expediency on this occasion, but his action throughout on this Bill has been based on expediency, and the whole policy of the Bill is a policy of expediency. I venture to think this is a difficulty which should be settled on grounds of expediency. The House proposes to confer a benefit on the tenants. Surely there is no principle involved in refusing to confer that benefit on tenants who have only recently become tenants of their holdings. Surely it would be better not to run the danger of establishing permanent discord and strife in certain districts by excluding the evicted tenants from all

share in the benefits of the Act. The Act of 1881 treated tenants in two different ways. That Act was based upon the recognition of the fact that in Ireland the tenants have a valuable interest in the holding which they have inherited from their predecessors to a large extent. Therefore there is no principle involved in this clause. The hon. Member for South Antrim admitted that the case of the evicted tenants was very hard, but he contended that they were as capable of paying their rent as the tenants now in occupation. But one of the hard features of this matter is that there are many instances in Ireland in which the landlords have let the farms at much lower rents to new tenants than the evicted tenants paid, and were willing to pay sooner than be evicted. The Plan of Campaign has been alluded to. I am not going to enter into a defence of the Plan of Campaign, though I think that on the whole the result produced by it has been largely beneficial to the Irish tenants. The hon. Member for South Antrim alluded to the case of the Massereene Estate as one in which the tenants were not justified in their demands by subsequent events. But if my memory serves me right, while they demanded a reduction of 25 per cent., and were refused it, with the result that some were evicted, the Land Committee in the other cases ordered a reduction of 23½ per cent., and the landlord thereupon conceded that reduction, but insisted on making two of the principal tenants his victims by refusing them any abatement. Surely that shows the tenants were justified in their demands. I need not take other cases. I only wished to point out to the Chief Secretary that there have been in Ireland cases of eviction even when judicial rents have been fixed, in which subsequent events have shown that the tenants were amply justified in asking for a reduction of rent. One such case was in the County of Limerick, on the Glensharrold Estate. There the tenants were unable to pay the judicial rents, a reduction was refused, they combined in self-protection, every effort was made to break up the combination, some of the persons who advised it were sent to prison, yet when the property came before one of the Courts, and when the grievances of the tenants were inquired into by an official valuer, Judge Monroe ordered a large remission of arrears, and reduced the judicial rent by 30 per cent. Now, I say, that case alone shows that there are estates in Ireland where the judicial rents are unfortunately too high and where the tenants have been unjustly evicted. If that is the case with regard to estates on which judicial rents have been fixed, how much more must it be the case where the unfortunate tenants have never been able to get into the Land Courts. On these grounds, I would appeal to the Chief Secretary to make an effort to restore peace in Ireland. We only ask the right hon. Gentleman to withhold from bad landlords a special opportunity of getting out of their difficulties by obtaining the money of the British taxpayer, and we only ask him to do this where the former tenants are actually in existence and are ready to purchase their farms at the same price as the present tenants. We ask for a very small, though a valuable concession, and I do implore the right hon. Gentleman, if he possibly can, to make some concession on the point.

(5.43.) MR. SMITH-BARRY (Hunts, S.): I hope that if I say a few words on this clause the House will believe that I have no design to approach it in any controversial spirit. I cannot vote for the clause of the hon. Member opposite because I do not think, however anxious we may be to settle the unfortunate agrarian struggle in Ireland, that the clause will in any way meet the requirements of the case or settle the difficulty of the Plan of Campaign upon other similar estates. This clause is not a permissive but a prohibitive clause, which simply forbids the Commissioners to sell to new tenants who are at present in possession of farms in different parts of Ireland—farms which, in many cases, and, I think, in most cases, they are cultivating in a proper and husbandlike manner. You are simply endeavouring to shut out a class of extremely honest and deserving men, who are likely to make excellent citizens and excellent farmers in the future. I do not think such a proposal would in any way meet the requirements of the case. I should not myself be disposed to oppose a clause drawn in a more satisfactory

way. I have no wish myself to see the door shut upon many of these men, who are now living outside their farms, no doubt very largely through their own fault; but still more largely through the fault—if I may be forgiven for saying so—of those who have lured them on to destruction. I think it possible that very recent events may lead the House to think that I am not myself disposed to deal harshly or vindictively with those who have been in opposition to me in matters of this kind. If a clause could be drawn which would enable the Commissioners to restore the evicted tenants under certain conditions, provided the security were good, I certainly should be very sorry to say that I would set my face against the re-instatement of such men. But this proposal is of a different kind. Those who have carried out their duty at very great danger and risk to themselves ought not to be ostracised but to be encouraged, and for that reason I shall oppose the clause.

*(5.50.) MR. COLLERY (Sligo, N.): I have no doubt the right hon. Gentleman the Chief Secretary in bringing forward this Bill is actuated, in a great measure, by a desire to settle, if possible, this agrarian difficulty, which has for so many years agitated our country. By neglecting to deal in the Bill with the evicted tenants, however, the right hon. Gentleman's efforts will be utterly shorn of any good they might otherwise effect. Anyone who visited the portions of the country where the evicted tenants are to be found would see that in those mountainous districts the poor people could not possibly eke out a livelihood. It is not, therefore, to be wondered at that they have been unable to meet their demands. There may have been some few instances in which those who were evicted were able to pay their rents; but the great body of them certainly were unable to do so. What will be the result if the right hon. Gentleman rejects this clause? He will keep open that agrarian sore which has so much agitated the mind of the country, I might almost say for centuries, and, instead of effecting any good by the Bill, he will complicate matters more. The homes of these poor people are just as dear to them as are the homes of right hon. Gentlemen to them; and if the Government turns a deaf ear to the appeal we make to them, the agrarian agitation will continue in Ireland, and the boon which was intended to be effected by the advance of this £30,000,000 will be really no boon at all.

(5.54.) SIR G. TREVELYAN (Glasgow, Bridgeton): I am sure hon. Members have heard with very great satisfaction the speeches which have been made on this subject on both sides of the House. This is a subject which has often been debated in this House with extremely heated and sometimes bitter words, which have too often blinded the House to the sufferings of a humble but deserving body of persons. I regret that in a Debate of this kind so few English and Scotch Members have spoken. The amount of money proposed under this Bill would bring comfort to many English, Scotch, and Welsh homes, and would solve the greatest possible number of social and economic questions on this side of the water, which have been overlooked in the desire to remove the chronic difficulty of Ireland —the great secular wrong which has been inflicted on these tenant farmers who had always a moral, as now Parliament has pronounced them to have a legal, part proprietorship in their own farms. Now, we are asked to divert a certain proportion of the £40,000,000, not for the purpose of removing the secular grievances of Ireland, but for the purpose of turning into permanent proprietors the present occupiers of certain of these holdings. These men are not Irish tenant farmers of the old sort. At the very best they are merely on a rank with recent English tenants. I do not want to say anything against them. I do not wish to make the dealing out of this money a moral question. I do not wish to reward men who have been put in by the landlord or a syndicate, but, on the other hand, I do not wish to punish those who have acted on the advice of the National League. I want simply to look at this matter from a public point of view. The great number, if not all, of these men are not dual owners at all; they are simply tenant farmers holding upon a rack-rent. That is the objection I have to present to the House, and it is a very great objection indeed to the state of things against which the hon. Member for West Belfast protests. Besides that, there is the great argument

which lies at the bottom of this case—the argument that this Bill is intended to establish tranquillity in Ireland. Let us remember that we ought to be, if we are not, an assembly of statesmen. If the hon. Member for South Hunts (Mr. Smith-Barry), with all the provocation which I willingly admit he has had from his point of view, can find so little to say against the principle of this clause, and so much to say in favour of its spirit, surely we ought not to throw away this last opportunity of giving that tranquillity to Ireland which I believe hon. Members on both sides at this moment equally desire.

(6.4.) MR. A. J. BALFOUR: In explaining the views of the Government on this Amendment, I find myself under some disadvantage, for I notice that, whenever I give the House the general principle which in my opinion ought to govern their position on any particular question, I am described as indulging in vague declamation, and whenever I go into detail I am accused of using dialectical ingenuity and taking advantage of small technicalities. Between these two opposite criticisms I will attempt to steer as well as I can, but I think it will be admitted that if I am to be met, whatever line I take, with comments of that description, my task is not rendered easy. Let me say at the outset that by voting for the Second Reading of this clause hon. Gentlemen are not confining themselves to a barren expression of sympathy with the lot of the evicted tenants; they are expressing an opinion that this clause, or something like it, that this provision, or something into which it may be turned by discussion, is the mode in which to deal with the difficulty. If we were asked to pass an abstract resolution that we desire to terminate the disputes on the Plan of Campaign estates, and express our opinion that these controversies should cease, I gather that we should all be found in the same Lobby. But we are asked to do something very different. We are asked by the hon. Member for West Belfast, and by everybody who has spoken in favour of the clause, to express an opinion, not merely that some settlement of the disputes on the Plan of Campaign estates is desirable, but that the proper way of arriving at a settlement is to carry out the suggestion of the hon. Member; and it is because I think the House cannot possibly accept the hon. Member's particular mode of dealing with the question—it is for that reason, and for that reason alone, that I ask the House to vote against the Second Reading of the clause. Let us consider this clause from the points of view of the various interests concerned. The point of view of the landlord need not occupy us long. Looking at the clause, in the first place, from the standpoint of the landlord, it is evident that its effect is merely to restrict his liberty of action, and it cannot be said to be in his favour. Then, I take the point of view of the locality. The hon. Member says the locality is the ultimate guarantor of the advances made by the State, and, if that is so, the ultimate guarantor has some right to consider whether the security is, or is not, sufficient, and, in his opinion, the security of these holdings never can be sufficient. Now, I am not prepared to subscribe to this statement of the fact, but, even if I were prepared to allow that the security of the holdings would not be sufficient, if I were to subscribe to the statement of fact of the hon. Member that the locality, as the ultimate guarantor of the advances by the State, has some right to consider if there is some possible danger of the security of the holding not being sufficient, I still could not accept the clause, because, in my opinion, it is the duty of the Land Commission, and not of this House, to say of a particular holding whether the security is or is not sufficient. If I pass from the interest of the locality to the general interests of the evicted tenants in Ireland, I have to point out that the number of evicted tenants who would be reached by this clause is insignificant, almost infinitesimal—that is to say, if we are simply to consider those persons who have been described as planters or settlers on the Plan of Campaign estates. The proportion of these persons to the total number of persons evicted in the last 11 years is really infinitesimal. The House is asked to pass a clause as a solution of the evicted tenant difficulty which only deals, and that in an inefficient manner, with a mere fraction of the total cases of evictions. Remember the Plan of Campaign began in 1886, and was enforced on a few estates only, and this

case is presented to us incorrectly—as if these few cases were those only on which the previous tenants have been replaced by new tenants. The House must be aware, and the hon. Member who moved this clause will not dissent from this, whatever may have been the general tenour of his speech, that a very large number of farms in Ireland from which tenants have been evicted have not been filled at all, and a very large number which have been filled are not farms on the Plan of Campaign estates at all.

MR. SEXTON: The clause deals with evictions since 1880, not with Plan of Campaign estates merely.

MR. A. J. BALFOUR: The House has been listening to an attack upon those tenants on the Plan of Campaign estates who have been described as grooms and ostlers, and others, imported from the cities of the North by the landlords to cultivate the farms, but the great mass of holdings from which tenants have been evicted do not belong to that class. They belong to one of two other classes—either the class of land which still remains in the occupation of the landlord, or the class in which, in the ordinary course, the competition for land in Ireland has provided the landlord with a new tenant from the neighbouring district or county, and brought in under very different circumstances to what are called the settlers on the Plan of Campaign estates. Now, I want to call the attention of the House to this fact. With regard to the former class, the clause does not touch the evicted tenants at all, but leaves them absolutely out of account. It affords no remedy and no solution, and leaves matters exactly where they are. Take next the case of those holdings which have been occupied, not by settlers, but by tenants in the ordinary course. Of these, there is a very large number now in Ireland. Can it be said that these men are undeserving of the consideration of the House? In many cases they have been in occupation for three, five, six, seven, eight, and even ten years; they have been on good terms with their landlord all along; they have cultivated their holdings, so far as experience shows, with success; they are as fit, so far as we can see, to become peasant proprietors and the progenitors of future generations of peasant proprietors, as any other tenants holding farms in Ireland; and can it possibly be said that to exclude this large body of legitimate tenants from the operation of this Bill is a way to produce agrarian peace in Ireland? It appears to be a short cut to adding to the existing discontent, and creating more discontent, among a large and deserving class. Passing from this class of what I may call ordinary tenants to the case of the so-called planters, why are these men to be excluded? By the admission of the hon. Gentleman, they came in under circumstances of considerable difficulty, and at one time of considerable danger, to farm land from which the previous tenant had been evicted in consequence of his having joined an illegal conspiracy. Why is a man who came forward under these circumstances to occupy and cultivate a holding to be branded as a man to whom his tenancy shall not be sold? I really cannot understand it. I do not mean to discuss in detail the merits or demerits of the various landlords, or the various politicians, or the various tenants, who have been concerned in the Plan of Campaign Estates, but really, to tell the House at this time of day that men like those who were responsible for the management of the Ponsonby Estates, the estates of men like Lord Lansdowne and Mr. Olphert, are men whose view has been to deal harshly, or whose practice is deserving of the epithet of harsh, is absurd. The hon. Member has quoted the action of Lord Clanricarde as if he were a specimen of the landlords upon whose estate the Plan of Campaign has been put in operation. I am not concerned to defend the action of Lord Clanricarde towards his tenants. I have never thought it my business in this House to discuss the action of Lord Clanricarde, and I express no opinion upon it now. But I do most absolutely and emphatically deny that the management of Lord Clanricarde's estates has in any degree resembled that of the three or four large estates I have mentioned, and it is preposterous to say that the landlords of those estates have acted harshly towards their tenants.

MR. MACNEILL (Donegal, S.): What does the right hon. Gentleman say of the Olphert Estate?

MR. A. J. BALFOUR: I mentioned three or four big estates and proprietors, of whom Mr. Olphert is one, and I say it is preposterous to say that these landlords had the intention, or did, in fact, act harshly towards their tenants. The hon. Gentleman has drawn a picture of what would be thought in England if English tenants were turned from their holdings under such circumstances as the tenants of the Olphert, Lansdowne, Ponsonby, or Massereene Estates were turned out of theirs. I have no desire, as I have said, to argue the question in detail, but I firmly believe that in such a case of conspiracy in England the whole sympathy of public opinion would be on the landlord's side. I say this merely in answer to the hon. Member for West Belfast, and not to make it the basis of my case against the proposed clause. I agree with much that fell from the right hon. Member for Bridgeton and other speakers. No man in the House desires more than I do to see this question settled, and settled in an amicable way. But I cannot give my adhesion to a clause which if it were passed into law would not settle the question, but would rather add a new and substantial grievance to the many unsubstantial grievances alleged to exist in the law in Ireland governing the relations of occupier and owner—a clause which would affix an undeserved stigma and inflict an undeserved injury upon a class of occupying tenants who deserve well of the community, and a clause which after all, if it were passed into law, could by no possibility benefit more than a small, I might almost say an insignificant, fraction of the clients whose interests the hon. Member for West Belfast is endeavouring to serve. Under these circumstances I hope that, whatever solution it may be possible to find to this question, the House will not be deluded into taking any course which suggests the possibility that the road to the solution of the problem is to be found in the clause of the hon. Member for West Belfast. I believe it to be unjust and unworkable, and that it would not effect the object the hon. Member has in view, and I am sure that, so far from giving peace to Ireland, it would only add to the troubles, already sufficiently numerous, which have so much disturbed those who are responsible for the government of the country.

(6.20.) MR. KNOX (Cavan, W.): Of the three speeches we have heard against the clause, that from the hon. Member for South Antrim (Mr. Macartney) seemed alone to breathe implacable hostility to the evicted tenants. The hon. Member began by saying that he opposed the Amendment on grounds of principle, not of expediency, but I listened carefully to his speech, and I confess I found no principle there, unless it was the principle that there should be eternal punishment for these unfortunate tenants. Now, I would suggest to the hon. Member that he should leave the enforcement of that principle to "another place"; at all events, I think we shall all prefer to leave this principle out of sight in our discussion of the position of these unfortunate tenants. The hon. Member lays down the principle that these tenants are never to be restored to their holdings because they have broken some unwritten law of the landlords, that any man who does not pay his rent must necessarily be unfit to cultivate a holding. But I venture to controvert that doctrine. These tenants in many cases would have paid a fair rent if they could have done so. It is utterly untrue to say that the majority of these tenants, whose case my hon. Friend desires to meet by his Amendment, have been evicted because they pursued a course of combination legal or illegal. The vast majority of the tenants evicted during the last 10 years did not actively pursue any course of agrarian combination, and in many cases their eviction resulted from their not having been wise enough to adopt a course of combination; they were evicted because they were unable to beg or borrow the money wherewith to pay the exorbitant rents their landlords persisted in demanding. Their case might have been dealt with had your legislation been more rapid; but we know that, in the first place, nothing was done at all until three years of agricultural depression had passed. During those three years the landlords of England had been reducing their agricultural rents voluntarily. In Ireland the landlords did not reduce their rents voluntarily, and, indeed, I know of more than one case in which an Irish landlord tried to raise his rents in 1880. It

became necessary to pass legislation to compel landlords in Ireland to make those reductions which in England landlords voluntarily undertook. The Act was passed, but hon. Members who have had practical experience of the Land Act in Ireland must know how tedious its operation was. A tenant had frequently to wait three years before he could get his case into Court, and meantime he remained liable for the old rent, and only recently was the Act amended to enable him to get back afterwards that part of the old rent which was over the fair rent, and tenants have frequently been evicted simply because they have been unable to pay that which the Court afterwards declared to be an unfair rent, and these are the men who on no principle should be punished. The hon. Member has told us that the Amendment would be unworkable because a landlord could not prevent a sale to an evicted tenant without running the risk of an action for libel. A more groundless proposition was never put forward. It is true the only way in which a landlord could prevent an advance being made to a tenant who had been evicted would be by proving to the Land Commission that such a person was not fit to receive an advance; but he would prove that in the ordinary course of law, and he would be privileged in doing this. I believe there is no doubt about that, and I cannot conceive that there would be any objection to a provision making it absolutely clear that the landlord is absolutely privileged in any matter to be brought before the Commission. An objection of that kind is easily explained away. Then I venture to think that the speech of the hon. Member for South Hunts (Mr. Smith-Barry), though more benevolent in tone, did not offer any proposal by which to reach the heart of this difficulty. It comes to this, that the hon. Member is in favour of legislation which shall enable a landlord to sell to his evicted tenants. But this is ridiculous; for a landlord can sell to them at any moment; he has but to reinstate them and they become present tenants; but the difficulty is that some of the landlords do not want to do this; they seem to breathe the spirit animating the hon. Member for South Antrim, and want to punish their tenants. If a landlord is actuated by a humane desire to sell to his evicted tenant he has but to restore him to the position he occupied before eviction, and he becomes a present tenant, and can receive the advantages of the Act. I wish the hon. Member would translate his view into legislative language. So also I would like to have translated into definite language the good wishes of the Chief Secretary for Ireland. The right hon. Gentleman tells us the clause is of no use, and that it will not effect the object my hon. Friend has in view, and yet he seemed to convey to the House that he was of the same opinion as my hon. Friend, that something ought to be done for those evicted tenants. What is he going to do? Does the right hon. Gentleman agree with the principle of the hon. Member for South Antrim, and is he going to keep these tenants out of their holdings for ever? If not, what is he going to do? If the right hon. Gentleman declares that in a measure which purports to settle the land question nothing is to be done on behalf of the evicted tenants, then I tremble at what the consequences may be when those poor men hear what will be to them a message of despair. Surely, if the Chief Secretary has any policy on the question and intends to do anything for the evicted tenants, now is the time to disclose that policy to the House. We are anxious to come to any reasonable compromise; we wish, for the peace of the community, to restore the tenants to their holdings on as favourable terms as possible, and if the right hon. Gentleman can show us any better way to meet the difficulty, my hon. Friend will withdraw his clause at once. As I listened to the right hon. Gentleman's carping criticisms of the proposal of my hon. Friend I confess I had doubts if the right hon. Gentleman had considered any policy in relation to these matters. The right hon. Gentleman said the clause would not do the locality any good, but I venture to ask him does he really think that it will be to the interest of the peace of a locality to allow these emergency men to buy the holdings they occupy? I have a certain number of friends connected with the landlord interest, and I have one friend connected with one of the largest land estate offices in

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Ireland. "Surely," said I to him one day, "it is not necessary that these land grabbers should have police protection?" "Yes," he said, "it is absolutely necessary they should be carefully watched, and if they were not they would steal the wire fencing from the farms." These were the words used by a gentleman connected with one of the largest land agencies in Ireland. In nine cases out of ten these men are not *bonâ fide* agricultural tenants. Take the Massereene Estate as an instance, and I admit it is the strongest case against us. The men who came into the holdings did so without paying a farthing for the improvements on the holdings as an ordinary tenant would have done; they had no capital, and the landlord had to supply them with stock, and they had to pay lower rents than the previous tenants, and yet they at once began grumbling. A gentleman was sent by a Unionist Association to report on the condition of these tenants, and he declared that if he meant to keep these valuable men Lord Massereene "must put his best foot forward." I do not know that much importance should be attached to the opinion of this gentleman, Mr. Crockett, but according to his statement these tenants were treated better than ever tenants on the estate had been treated before, and yet, though good agriculturists, they could not make the farms pay. I deny they were *bonâ fide* agricultural tenants; but if they were and could not live from the farms, how was it possible for the previous tenants to do so under the extreme conditions imposed upon them? With the *bonâ fide* tenants who have succeeded to the evicted farms we do not propose to interfere; it is only the men known as landgrabbers who will be touched by this clause. If a man has been evicted because he was incapable of working a holding, and, therefore, it may be assumed he cannot work the holding as a purchaser, then the Land Commission can refuse the advance to him. We propose to deal with a limited class of cases, but cases where the grievance is great, where a landlord refuses, even on fair terms to restore an evicted tenant. We propose to deal only with those tenants, who, if given a fair chance, would become useful cultivating owners. Whatever criticisms may have been passed on the details of the Amendment, in principle it is an Amendment which the House ought to accept, and which, I venture to hope, will have support from the other side of the House.

*(6.37.) MR. T. W. RUSSELL: As the House knows I have taken a somewhat strong line in regard to the quarrel which has been going on in Ireland during the last 10 years upon this question, and I am therefore all the more anxious to express my views upon this Amendment. I shall not be able to vote for it, but, on the other hand, I am not in agreement with the hon. Member for South Antrim (Mr. Macartney). Before I deal with the hon. Member's position, however, I desire to say that the speech of the hon. Member for West Belfast was one of the most pathetic incidents I have ever seen in the House of Commons. After a 10 years' struggle, in which a great organisation, led by Members below the Gangway, has been encouraging the tenants, and which is largely responsible for a number of evictions—I admit that the hon. Member himself has been little mixed up in these matters—we see the Member for West Belfast coming here to-night and making an almost passionate appeal for the cessation of the strife and the restoration of the tenants to the holdings from which this great organisation, of which the hon. Gentleman was a member, drove them out. I do not complain of the hon. Member for West Belfast doing this. On the contrary, it is greatly to the hon. Gentleman's credit and honour that he has delivered such a speech. But the hon. Member's clause practically proposes that every tenant who has been evicted since 1881—and I am glad he proposes to include the evictions that took place under the Government of the right hon. Gentleman [the Member for Bridgeton—who turns up and makes his claim shall have a right of purchase, to the exclusion of the tenant who is actually in possession of the holding. That is a somewhat extraordinary proposal to make to the House of Commons. It is one thing to be anxious for the restoration of evicted tenants, but another and very different thing to bring in a sweeping clause like this without paying any regard to what was the cause of the eviction, whether

it was just or, as hon. Members below the Gangway will say, unjust; whether the tenant got something for going out, as in many cases he did, from the incoming tenant. It is an extraordinary proposal that the hon. Member for West Belfast (Mr. Sexton) embodies in this clause. Will the House consider the position in which the Land Commission will find itself at once placed if this clause, or anything like it, is passed? What is the position of the evicted tenants at this moment? They are, in the main, absolute paupers. That is what the agitation of the last 10 years has done for these evicted tenants. The men who were fairly well to do in many cases are to-day absolute paupers, living upon aid from foreign countries, and upon the aid of their fellow-citizens, and is it possible that the hon. Member for West Belfast proposes to go to the Land Commission with these paupers. [*Cries of* "Oh!"] Well, I do not use the word disrespectfully. The men are not to blame; other people are to blame. Is it reasonable to ask the House to send these men, most of whom are absolute paupers—and I greatly regret to say it—before the Land Commission as suitable purchasers under this Act. They have no capital to work the land with, or to buy stock or anything else with, and it will be absolutely impossible for the Land Commission to place these men, ruined as they are, upon the land from which they were evicted between 1881 and 1890. The clause is, therefore, impracticable. Whilst I say that I want the House to see whether anything can be done or not. It is quite impossible, in my opinion, to eject a tenant. Of course, the House of Commons can do anything, but there are some things I do not think this or any other House of Commons would do. The House of Commons would not eject a tenant who is legally in possession for the sake of a man who has been legally evicted.

MR. SEXTON: Surely there is no question of ejectment here. We do not want to turn these men into freeholders.

*MR. T. W. RUSSELL: You want to give the tenant who has been evicted a right of freehold. There are numberless holdings all over Ireland which are now derelict, or in charge of caretakers, or as they are sometimes called emergency men. I am not concerned with these emergency men. The emergency man is generally a man who carries his life in his hands, and I do not think you will always find them sons of Bishops. But in the case of holdings which are absolutely vacant, and holdings in charge of caretakers, I do not see that there should be any difficulty in arriving at a settlement; I rely on the Chief Secretary, and I think this would be an appropriate time for a settlement. Ireland is profoundly peaceful, more peaceable and more prosperous than she has been for 20 years. The Crimes Act is absolutely ceasing to operate; the Plan of Campaign is crumbling to ruin. This, therefore, is an admirable time for looking this question fairly in the face and seeing what really can be done in the case of holdings that are vacant, but with the old tenants there, or in case of land that is in charge of a caretaker, and where the tenant can be found. I wish in these cases something could be done to restore these tenants; but I think it is a large order to say that all the tenants evicted since 1881 should be restored. The House of Commons cannot, I am persuaded, agree to that.

(6.45.) MR. SHAW LEFEVRE: The closing words of the Chief Secretary appear to indicate that he is prepared to approach this question in a spirit of far greater conciliation and moderation than he has ever exhibited in previous Debates. The right hon. Gentleman stated that no man in this House is more desirous of settling the question than he is. That fact, taken in connection with the speeches of other Members, and especially those of the hon. Member for South Huntingdon and the hon. Member for South Tyrone, shows that the question is ripe for dealing with, and that it will be a great misfortune if this Bill is allowed to pass without some *bonâ fide* effort being made in that direction. The Chief Secretary, however, while finding fault with the proposal of the hon. Member for West Belfast, did not give an indication of any alternative method of dealing with the question. If the right hon. Gentleman had done so, I for my own part would not be prepared to vote for the clause now before us, but I would

have waited with hope for the proposal of the Chief Secretary. The Chief Secretary, no doubt, is justified in some of his comments on the proposal now before us. He pointed out with justice that the proposed clause only deals with a part of the difficulty. I think there are only three estates where combinations have taken place, and where a successful attempt has been made to put other tenants in the place of those evicted. But, though the number dealt with is small, the principle involved is of very great importance, and if once conceded may be followed afterwards. Nothing could be more unfortunate than to allow the men who are not really tenants to take advantage of the Bill, as that would be merely to aggravate the disputes in Ireland between landlord and tenant. Many of the men who have been put on the land are merely bogus tenants—they are men with no capital of their own, and they have come into possession of the holdings for a mere argumentative purpose. It may be true that in one or two cases on the Massereene Estate there are substantial men, but even those men have paid nothing whatever for tenant right to the outgoing tenant, and, therefore, are not entitled to any advantage under this Bill. Great efforts have been made to induce the Land Commissioners to allow the supplanting tenants to purchase their holdings, but hitherto the Commissioners have refused to admit that they are tenants in the ordinary sense of the term. I believe I am right in saying that the Land Commissioners have incurred a good deal of odium in certain quarters for refusing to admit these men to the privileges of the Ashbourne Act, but I think they have done well. The clause of the hon. Member for West Belfast is intended to affirm the principle of action which has hitherto been taken by the Land Commission. In that sense I think it is a wise and just proposal. After all, I fully admit that the clause, as it stands, would only deal with a small branch of the question, and that a wider question would still remain undealt with, namely, how to bring to a conclusion the few remaining agrarian disputes in Ireland, with a view to the settlement of the question. Earlier in the Session I brought the whole matter before the House, and urged that arbitration was the only feasible plan for the settlement of the disputes. I am still of that opinion, and my impression is that if the Chief Secretary would now use his influence with the landlords to promote arbitration the difficulty could still be surmounted. Since the opening of the Session there have been two estates where settlements have been arrived at—namely, the Glensharrold and the Leader Estates, and in both cases practically on the same terms. All the evicted tenants have been replaced; large remissions of arrears have been given; and arrangements have been made for admitting the re-instated tenants to the privileges of the Bill before the House. It has been represented that in the case of these disputes the settlements have been a victory against the combinations known as the Plan of Campaign; but, so far as I can understand the matter, that is very far from being the case. All the other outstanding disputes could easily be settled on the same basis. I cannot help hoping that the Chief Secretary will still find it possible, either by using his influence with the landlords, or by making a proposal to the House, to promote a settlement of the outstanding disputes. I am certain that if those disputes are allowed to continue, the feeling in Ireland will be aggravated instead of being allayed by this measure.

*(6.57.) MR. RATHBONE (Carnarvonshire, Arfon): I am sure everyone who has listened to the Debate must have been struck with the very greatly improved tone on all sides, promising apparently an opportunity for a real settlement of this great question. That tone ought to lead the Government to make some attempt towards bringing about the settlement. The right hon. Gentleman spoke of this as a matter affecting a comparatively small number of people. But has it not always been the case that the failure to settle these difficulties has arisen from the action of a very small number of men? There has been a great deal of abuse of Irish landlords in which I have never been able to join. The bulk of the Irish landlords have been a very kindly race. [*Opposition cries of* "Oh!"] They have not been a very prudent race, but neither have the English landlords. If the Irish landlords had not been a kindly race, it

would have been impossible to have established tenant right without any protection of the law. It is also a matter of history that a small number of Irish landlords of a very different description have been able from time to time to upset all the endeavours of this country, and of the better class of landlords for the amelioration of the tenant's position. Omissions on the part of the Legislature have been taken advantage of by one or two bad landlords, and the confidence of the whole body of tenants has been shaken in the legislation that has been passed. With its usual folly, Parliament, instead of watching the progress of its legislation, has allowed these mistakes to continue, undertaking reforms only when it is too late. If this question is not dealt with, it will leave a small centre of poison in the state of agrarian feeling in Ireland which will poison the whole country. The Chief Secretary has admitted to a great extent this danger. What we want is an assurance that he will bring his great talents to bear to cut out this poison.

(7.2.) COLONEL NOLAN (Galway, N.): The right hon. Gentleman the Member for Bradford speaks with great authority on this question. Since 1875 or 1876 he has interested himself largely in the Land Purchase question, and, moreover he speaks as a former Minister and from the Front Opposition Bench. He has pointed out that the settlement of the Irish land question will be left imperfect if this running sore—the evicted tenants—is allowed to continue. We are all acquainted with the events in Ireland of the last 10 or 11 years. There are not many Members, probably, who take the same view of all the circumstances that have occurred during this period; but we all know that there are certain tenants who have stood out for what they considered their rights. They have been evicted in process of law, and have suffered heavily, and yet it is owing to the fact that tenants have stood out in this way that large concessions have been made to their class. A unique and unexampled opportunity of closing this question now presents itself. It is in the power of the Chief Secretary to introduce some kind of clause which will terminate this struggle and allow everyone to start afresh. The hon. Member for Carnarvonshire, who has also, for some years past, taken a deep interest in this question, also thinks that this is a favourable opportunity for the Chief Secretary to bring about a settlement. I would join with him and with the right hon. Gentleman the Member for Bradford, and appeal to the Government to terminate this struggle, and allow some retreat to the evicted tenants. The present clause is negative in its action. If it passes it can do no great amount of good and may do a certain amount of harm; but the right hon. Gentleman the Member for Bradford has pointed out that unless the Government propose to do something he will be obliged to vote for it, and the hon. Member for Carnarvonshire, and probably many others, will have to do the same. The Bill will be incomplete if this matter is left open. The Government should propose some means by which in cases where the landlords and tenants agree, the latter should be re-instated in their holdings. There is nothing of the kind in the Bill at present, but I think it would be possible for the Government to propose something of the sort. This is a Bill which, on the whole, I approve of, and to which, on the whole, I have given support in the House, whether other Irish Members have been opposed to it or not. Well, I think the measure will be rendered complete if the Government take in hand the settlement of this matter, and that the fame and credit of the Government in Ireland will be incomplete unless they open a door by which the present evicted tenants may be re-established in their holdings. There are many ways of doing this. They may propose a provision of either a compulsory or permissive character. As I have said, the present clause is of a negative character, and would not re-establish the tenants. All that it would do would be this—it would have a strong tendency to prevent new tenancies being established over the heads of old ones. Moreover, it is a protest against the omission by the Government of all consideration of the case of the evicted tenants, and unless the Government themselves make a proposal, I shall be compelled to vote for it. I, however, do not think it too late for the

Government to do something in this direction.

(7.8.) MR. M. J. KENNY: The House is in an unsatisfactory position as regards this matter, because the clause the hon. Member has brought forward has raised a question in regard to which the House is in some respects practically unanimous. Representatives on all sides have admitted that something should be done for the purpose of settling this question of evicted tenants. We have had opinions from quarters differing so widely as the hon. Member for South Hunts (Mr. Smith-Barry), the Chief Secretary himself, the hon. Member for South Tyrone (Mr. T. W. Russell), and hon. Members who sit below the Gangway on this side of the House. So far every one, except the hon. Member for South Antrim (Mr. Macartney)—who speaks solely for himself—admits that there is a grievance here that should be dealt with if there is to be a perfect settlement of the land question in Ireland. The Chief Secretary, instead of meeting the question fairly, and going to the root of the matter, went off on a number of side issues, and then, by a series of destructive criticisms on minute points, he seemed to think he had settled the whole question. It is all very well for the right hon. Gentleman to go away from the point in that way, but the question still remains: What is to be done with the evicted tenants? I do not care if they were evicted under the Plan of Campaign. It is of no consequence whether the Plan of Campaign is defensible or indefensible—whether it is moral or immoral. I assume that the principle underlying the Bill is the settlement of the agrarian difficulty in Ireland. If the real principle is the settlement of the land question, you have to take facts as they exist. The hon. Member for South Antrim said they were not responsible for the eviction of the tenants under the Plan of Campaign. No; but to say that the tenants are solely to blame for the Plan of Campaign is manifestly absurd, for the Plan has been enforced on something like 60 or 70 estates in Ireland, and out of that number settlements have been effected in almost seven-eighths of the instances, and the landlords and tenants have come to arrangements on terms closely approximating to the demands of the tenants. It is only in three or four special instances that settlements have not been arrived at, and in the most notorious of those cases no one has any sympathy with the landlord—Lord Clanricarde. The question is not what were the causes which led to the Plan of Campaign, but, if the Government want to go to the root of the agrarian question, they must deal with the evicted tenants. Whether the proposed clause would effect the particular purpose which so many Members have in view, or whether it would not, is a question on which there may be a difference of opinion. I admit that it is a negative proposal rather than a positive one, but if the Chief Secretary will not accept it, we invite him at least to adumbrate a proposal of his own. The right hon. Gentleman asks, "Why must we brand these tenants who have come into possession by excluding them from the operation of this Act?" The tenants who have come into possession within the last few years are in an absolutely different position to those tenants who were originally in possession. The tenants who were evicted were owners of a very important estate in the land. They had their own interest, which is generally speaking as great as that of the landlord, they forfeited that interest owing to a temporary inability to pay their rents. They lost, therefore, for a comparatively small sum, a valuable estate. The landlords succeeded in certain instances in re-letting the farms to men who were immediately placed in possession, not only of the tenancies as between themselves and the landlord, but also in possession of the improvements effected by the previous tenants, and for which they paid absolutely nothing. The equities, therefore, are not even. The proposal is simply to extend the period of redemption of the tenants' interest, and to enable the tenants, even at the eleventh hour, to come in and save themselves from final destruction. It is all very well for the landlords to demand some victims of their policy. You may make scapegoats of these evicted tenants, but they will nevertheless remain with you. We are told they are ruined men. Some of them are ruined men, but others, if replaced, would be perfectly competent to retrieve their fortunes. The

Land Commission will, under this clause, have a perfect discretion to decide whether the evicted tenants are fit to be replaced or not; if they are not fit the Land Commission is not bound to re-admit them to their holdings. We hear it said these men have no capital. I should like to know what capital the squatters on the Massereene Estate had? They went there absolute paupers, and had to rely on a landlord organisation for the means with which to stock the farms. The result was that the land has not been farmed very successfully. But if you replace the old tenants, the men who have made all the improvements, and give them the additional stimulus of ownership, I believe you will find them most satisfactory purchasers, men who will meet their obligations with perfect regularity. Under the circumstances I think the right hon. Gentleman has no ground for refusing the proposal of my hon. Friend. The position of the right hon. Gentleman is most unfair. His attention has been drawn to the matter repeatedly, and I assume he has given the matter consideration. Surely the time has now come when he is able to devise some means of settling this difficult and pressing question. We are entitled in the interest of these tenants, in the interest of land purchase, to demand a declaration from the Government of their intention with regard to these matters. You cannot complete the system of land purchase while you continue to exclude from the operation of the Bill a great number of men who have all their lives practically been tenants, who have created valuable interests in the land, and who only lost their interest in the land owing, as a rule, to circumstances over which they had no control. Assuming that these men have been dupes, surely they have been punished enough. Judging from his speech, I do not think the hon. Member for South Hunts is anxious to exact vengeance. I do not believe there is any desire on the part of any fair-minded landlord to exact vengeance. This is a case of grievous hardship. The Chief Secretary has achieved his reputation on the ruin of the evicted tenants, and I think the time has come when he should make some return to these men.

Mr. M. J. Kenny

*(7.24.) Mr. WEBB (Waterford, W.): Since I became a Member of the House I remember few more solemn occasions than the present, because I regard it as a turning point in the settlement of the land question. We are all agreed as to the desirability of a settlement, and as to the settlement having a permanent effect. I believe the objects of Irishmen and Englishmen in this matter are common ones. Some may say our objects are different. It is said we who sit on these Benches are anxious to keep up agitation with an ulterior object. As a matter of principle, it seems to me that these men should be re-instated in their holdings. The right hon. Gentleman can, if he choose, insure the passing of this clause, which would do much to restore peace and tranquillity to districts, where now there is dissatisfaction. If the evicted tenants are given to understand that they must never hope to re-occupy their holdings, they and their descendants will never forget or forgive. I believe that on the estates where the tenants have refused to pay rent they have been driven to refusal as an extreme measure by the exacting demands of the landlords. A Land Sub-Commissioner once told me that he had never known a case in which a tenant was not willing to pay a fair price for his holding. The action of the evicted tenants was absolutely necessary. But for them there would have been none of this land legislation, and it would unstatesmanlike, impolitic, and un-Christian to visit them with such cruel punishment as that which is now proposed in this Bill. On every account, therefore, and because I believe this clause, if carried, would tend to social order, I have great pleasure in supporting the proposal of my hon. Friend.

(7.30.) Mr. MAC NEILL: I rise for the purpose of making a personal appeal to the right hon. Gentleman, who has it in his power to restore peace and comfort to these people. The hon. Member for South Hunts and the hon. Member for South Tyrone, both of whom know the condition of these evicted tenants and the inconceivable sum total of misery which the eviction of an Irish family involves, are in favour of doing something for them. I appeal to the Chief Secretary as a man to solve

this question, and thus to secure the success of land purchase and alleviate a vast amount of human misery. The right hon. Gentleman knows the condition of these people, and on him lies the responsibility. I have often wished that the right hon. Gentleman had spent one single day longer in Donegal. I invited him to witness the scenes of suffering on the Olphert Estate, but he declined the invitation. I have sometimes thought that if the Chief Secretary had spent six hours on that estate the whole course of things would have been altered. I ask hon. Gentlemen opposite to look at the position which Irish Members occupy in relation to their constituents. If the Irish Members, or the Irish people, were to desert these evicted men, they would be guilty of a stupendous act of perfidy. If the right hon. Member for West Birmingham were in his place, I would appeal to him to support the proposal for including the tenants evicted under Land League agitation, for, in a speech made in Liverpool in 1881, he said that the Land League was necessary for the passing of the Land Act of 1881. Of the Plan of Campaign, too, it may be said that it was the precursor and generator of the Act of 1887. These evicted tenants are really the soldiers who bled for the common good, and having regard to the circumstances of their sufferings, I do appeal to the right hon. Gentleman to give their case lenient consideration. We say that these emergency men are out of the purview of an Act of Parliament which is to confer, as we understand, exceptional benefits on men exceptionally situated. The emergency men do not come within that category. They entered upon these holdings with their eyes open; the responsibility was not forced upon them, but they willingly accepted it. No doubt many of the evicted tenants are paupers, but the right hon. Gentleman knows perfectly well that many of their successors also are equally paupers. They certainly cannot be said to be trustworthy men. Although, as the Chief Secretary knows, I have strong feelings about Mr. Olphert, I am anxious to say nothing in reference to him. I would rather avoid personal recriminations. I do not think I ought to further trespass on the attention of the House. I should not have detained it at such length had I not been anxious that the right hon. Gentleman should not for one moment imagine that I ever say anything against him behind his back which I am not prepared to say before his face. Nothing has so greatly aroused the sympathies of the English people as the miseries under which the evicted tenants are now suffering. I do not know how many families would come within the purview of this section, but probably they would number close on 30,000, and their sufferings are almost inconceivable. I make an appeal now, not only to the Chief Secretary, but also to the First Lord of the Treasury. Let them both put politics on one side. Let the First Lord use his great influence with the Chief Secretary in the interests of kindness and humanity with a view to getting these people restored to their homes. When we see the sufferings of a little child in the streets we are sometimes moved to pain for days; yet these people are in a continual state of wretchedness, poverty, and despair, leading to idleness and demoralisation. I ask the right hon. Gentleman if he wishes to make the Land Purchase Bill a success, to get rid of the flaw which my right hon. Friend has pointed out. I ask him, for the relief of suffering humanity, and for the promotion of peace and goodwill in Ireland, as well as for the sake of the solution of the land question, to listen to this appeal. Do not let it depend on questions of Party Government; rather listen to the dictates of Christian feeling. We wish the Chief Secretary every political success—though not in Ireland—and if he will only take advantage of this opportunity to benefit his fellow-creatures, and make his Land Act a success, he will do much to alleviate human suffering and to produce that reconciliation between all classes which is so much to be desired.

*(7.52.) MR. ROBY (Lancashire, S.E., Eccles): It is with considerable diffidence that I rise to say a word upon the matter. But having listened to the Debate, I cannot but think it is possible by some alteration of this clause to meet, to a large extent, the wishes which have been expressed on both sides of the House. I would venture to suggest the omission from this clause of the first two lines and a half declaring that

no advance shall be made for the purchase of a holding by a tenant if it is proved by another applicant that he has been evicted therefrom. I would make the clause read that if it were proved to the satisfaction of the Land Commission, on the application of an evicted tenant, that he is willing to purchase at a price agreed to with the proprietor, it shall then be competent for the Land Commission to treat the applicant, for the purposes of this Act, as a tenant who has made an agreement for the purchase of his holding. By some such alteration two objects would be effected: The evicted tenants would have a chance of being permitted to purchase their holdings, and, at the same time, a discretion would be left to the Land Commission to intervene in a case in which the circumstances render such a course unjustifiable. It seems very desirable that there should be some power of arbitration; and the Land Commission might be empowered to arbitrate, and, if they think fit, to give the priority to an applicant who has been evicted from a holding. Perhaps the Government may see their way to allow the clause to be read a second time with the object of making some Amendments such as I suggest.

MR. A. J. BALFOUR: On a point of order. As I understand the suggestion, it is that the Land Commission shall be empowered to sell to an ex-tenant as if he were a tenant. I wish to ask the Speaker whether a proposal of this sort, which has a certain resemblance to one that has already been on the Paper in the name of the senior Member for Cork, is in order?

*MR. SPEAKER: I think it would be an admissible Amendment.

MR. A. J. BALFOUR: It was ruled out of order in Committee.

(7.55.) MR. P. J. POWER (Waterford, E.): I had not the advantage of hearing the speech of the Chief Secretary, but I gather that he rather ridiculed the Amendment as not calculated to afford redress or comfort to the evicted tenants. If these are his genuine feelings, surely nothing would be easier than for him to enlarge its scope. I am sure my hon. Friend the Member for West Belfast would be only too delighted to agree to that. Now, an Irish Member speaking on a question such as this to this House is at a great disadvantage, because it is notorious that Englishmen, who are the greatest travellers in the world, visit every nook and corner of the earth, and yet take little trouble to go to Ireland, the country which they insist upon ruling. Most of the Members of this House have no idea of what the land question in Ireland really is. On English estates most of the improvements are effected by the landlords. But in Ireland it is the very reverse. The permanent improvements are effected solely by the occupier. We have a remarkable confirmation of this in the words which fell from Lord Cowper, who presided over a Royal Commission. He said that English gentlemen could have no conception of what the agrarian question in Ireland was; it was possible to count on one's fingers the estates in Ireland which are managed on the principles in vogue on most English estates. Most Englishmen are surprised at these evicted tenants wishing to get back to their homes, their squalor being so great and their accommodation so wretched. But the secret of the desire of the people for their homes is this: that, poor and lowly as no doubt they are, they have been erected by the people themselves, or by their ancestors, and they are endeared to them by the links of flesh and blood, and by the reminiscences of the past. We ask that these people shall not be dealt with in a spirit of vindictiveness. We maintain that it is in the interests of peace that the question affecting the evicted tenants should be settled on a broad and lenient basis. It may be said that some of us on this side of the House are in favour of agitation and confusion in Ireland. We desire, as a fact, from the bottom of our hearts, that peace should reign in Ireland, and we say that we have been forced to agitate and combined by the conduct of this House. Every reform we have conceded to Ireland has been obtained by agitation. We maintain that the Government is responsible by its policy for the position of the evicted tenants, and especially of those evicted under the Plan of Campaign. A Bill was brought forward on these Benches to give judicial leaseholders a revision of their rents, and to admit them to the benefits of the Land Act. It was scouted out of the House, and

thus the Government made itself the father of the Plan of Campaign, for, after stubbornly refusing to listen to the voice of the Irish people, you only a year later, brought forward a Bill enabling a revision of judicial rents in the case of leaseholders. We say it is your duty, in honour, to come to the assistance of the men whom you have driven from their homes and farms by your unwise policy, and if you are not pursuing them with vindictiveness you will do what we ask you to do. It is notorious that many of the men who have replaced the evicted tenants are bogus tenants, and I again urge the Government, instead of leaving to starvation the people on behalf of whom we plead to give them an opportunity of returning to their holdings.

*(8.7.) MR. JORDAN: We, as Representatives for Ireland, feel great responsibility for the evicted tenants. It was pleasant this evening to hear the tone in which the Member for Huntingdon and the Member for South Tyrone, and even the Chief Secretary, spoke. The one jarring note was that uttered by the Member for South Antrim, who, true to the instincts of his class, sounded the old note of "No surrender." But we know from experience that, in spite of all, he will ultimately submit. I should advise the hon. Member to be somewhat more moderate; he is far more likely to be successful if he adopts that plan. I rise to appeal to the Chief Secretary and to the Government in relation to these evicted tenants. Whether they have been evicted rightly or wrongly is not the question. They are now out in the cold; they are suffering, and we ask the Government to make some practical suggestion towards the solution of the difficulty in restoring them to the land, or otherwise relieving them. If no redress is attempted, great irritation will be produced, not only among the evicted tenants, but among the tenants remaining on the estate. We, too, as Representatives of the Irish people, will feel the irritation. We are bound not to desert the evicted tenants; we cannot give up the conflict. The hon. Member for South Tyrone seems to think that our right arm has lost its cunning. It is not so. We are not powerless. We are capable still of maintaining a hard struggle, and I calculate wrongly in regard to the spirit and pluck of the Irish tenants if for many years they will not be able to keep up the fight should you reject this appeal. The irritation caused by the present position of the evicted tenants works hate, and hate produces discontent, and the discontent leads to disorder, and will lead to disorder: it will lead to disorder as against the emergency men. About these men I have scarcely any patience to talk. They are a mean and contemptible lot. Instead of being respectable tenants, as I have heard the Chief Secretary style them, they are a mean and grabbing lot of men. I know something of the men on the Massereene Estate. It is said they are men of capital; but I know that many of them have been obliged to sell out in their own district, and that they have gone to the Massereene Estate because they thought they could get hold of other people's property. This, of course, they do in the name of loyalty to the Queen and Constitution. One man named Johnson, who took land on that estate, retained his own land in County Fermanagh. He put his nephew in his own farm, and out of pure greed went up to Louth simply to get a piece of good land and a good house for nothing. Possibly he had some hope of being made County Magistrate and a Grand Juror. It would be no misfortune for that man to be turned out of his farm in Louth. I have talked to Orangemen, neighbours of Johnson, in Fermanagh. Those men condemned the conduct of Johnson, and said if they had a quarrel with the Marquess of Ely or the Earl of Enniskillen, their landlords, they would not care for Roman Catholic tenants to come from Louth and take their farms, appropriating their tenant right. I am rather cool and phlegmatic; but when I think of these emergency men appropriating the property of the tenants, my blood boils, and I can call these men by no other name than that of robbers. I do not wish to create a great gulf between the Government and ourselves in the discussion of this subject; but when I hear even the right hon. Gentleman claim for these emergency men—these wanderers, the position of tenants, I am filled with indignation. They are not to be put on an equality with the

hereditary agricultural farmers; they are only squatters, wanderers going about, like their illustrious predecessors, seeking whom they may devour—[*laughter*] — seeking whose property they may devour. You talk about morality. The less you talk about aristocratic morality—landlord agrarian morality—the better. You talk about morality and legality. Yes, you are all very legal so long as the law is on your side. If I were in such a position as the evicted tenants, and my little property on which I have lived all my days and on which my father and grandfather had lived before me, were taken from me by some men from the South of Ireland, the interloper would require a good deal of protection before he gained his end. I appeal to the Government to produce some scheme. The hon. Member for West Belfast and his Colleagues are not wedded to his new clause, but are prepared to meet the Government half way, and more than half way. The hon. Member for South Hunts is now in consultation with the Chief Secretary, possibly suggesting some way out of the difficulty. Let the Government do something. Let them show that they do not merely indulge in lip service, but are sincere and in earnest in their commiseration for the evicted tenants. There is probably no person who has sympathised with the Chief Secretary and his Land Bill more than I have. I am anxious that this Bill should have free scope, and that the tenants of the country should enjoy all the benefits of it. But does the right hon. Gentleman expect the Bill to settle the land question if he excludes the evicted tenants from its purview? He can hardly expect that? I believe the right hon. Gentleman wishes to govern Ireland well. I am not one of those who think that everything the Chief Secretary does is bad. I am not one of those who think the right hon. Gentleman is naturally depraved. I admire the great ability of the right hon. Gentleman, and even believe he is disposed to be fair. But the Chief Secretary has functions to perform conferred on him by the State, and he can do nothing that will give greater satisfaction and do more to promote peace and quiet in Ireland than to restore the evicted tenants to their homes in the interests of humanity and good order. I press for consideration for the evicted tenants. I have much pleasure in supporting the new clause of my hon. Friend. (8.30.)

(9.5.) DR. TANNER (Cork Co., Mid): It is somewhat difficult for a Member without technical knowledge or legal experience intervening in a Debate of this kind, to bring any additional pabulum to the discussion——

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

(9.8.) DR. TANNER proceeded: It is difficult for an ordinary Member to enlighten the House upon any points of technicality in connection with this question. I have had the opportunity of listening to speeches from several hon. Members who usually differ from us, and notably to speeches delivered by Members connected with the landlord party, and I must say that, taken all in all, the expression of opinion evoked has been in favour of something being done on behalf of the evicted tenants. Of course it is our duty, and our right, to take up the cause of these tenants. I may say that, but for having witnessed the horrors of eviction in Ireland, I should never have taken an active part in politics. It was through witnessing eviction scenes, as a medical man, that I was brought into public life, and sure I am that if hon. Members had had the experience I have had they would be as ardently in favour of these evicted tenants as I am. Of course I know there are many hon. Members who share the Chief Secretary's condemnation of the Plan of Campaign, but the tenants evicted from the Campaign estates are but a small proportion of the number of tenants who have suffered from unjust eviction. Does not the history of legislation indicate how great has been the grievances of tenants? Have you not introduced Land Bill after Land Bill for the protection of tenant farmers in Ireland in their struggle against excessive rents? Have we not seen your Land Courts cutting down rents right, left, and centre? In my own constituency Judge Ferguson, in the Macroom Court, has reduced rents by no less than 40 per cent. But what has become of the tenants evicted before they had any chance of

obtaining a reduction of their rents? These unfortunate men have been evicted for no fault of their own—your legislation has recognised that—and, in the interests of peace and justice, we ask you to take the case of these tenants into serious consideration. The recent Census, I understand, shows the population of Ireland to be 4,700,000, a decline of 450,000 from the Census Return of 1881. With this decline of population you have, of course, a diminution in the number of men capable of tilling the land, the competition for land is less keen, and a great number of evicted tenants have long been waiting, hoping against hope, and in the face of many difficulties, for a return to those holdings made productive by the capital and industry of their fathers. These people have an equitable and certainly an hereditary right to the first claim upon their old holdings, and I think this hereditary principle is one the Conservative Party should not be slow to recognise; if that principle be good for peers, it ought to be good for honest agricultural working men. This is a crucial question; we are dealing with a matter which amounts to one of life or death to many of these unfortunate men and their families. Are men of the character of those who have taken evicted farms to be encouraged in doing so to the detriment of other men who have certainly been unfortunate owing to the peculiar circumstances?—to which I will not now advert, as I think we ought to try at the present time to soothe all minor difficulties. How many people do we find have been evicted during the last five quarters? Excluding those who have been evicted for ordinary debts, I find that the numbers are for the quarter ending March 31, 1890, 1,365; for the quarter ending June 30, 1,967; for the quarter ending September 30, 2,002; for the quarter ending December 31, 1,043; and for the quarter ending March, 1891, 1,167, making a total of 7,544. Surely these people ought not to be left as a burden upon the community if you can possibly do anything for them. I have sometimes been accused of speaking too strongly, and also of being rather prolix. On the present occasion I do not intend to offend in either particular. I believe that if you can assist these poor people, you will not merely be benefitting this country and Ireland, but you will be benefitting humanity. If you inquire into the outrages which have taken place in districts where a great number of emergency men have been planted, you will be convinced that the employment of these men is contrary to any rule of morality or order, and that they are a distinct curse to the districts in which they are found. I would point out that up to the present time no advances have been made to any of the men we call grabbers. I feel that I should not have done my solemn duty to the poor tenant farmers in the mountainous districts of the West, whom I represent, if I had taken no part in this discussion. I do not like appealing; I prefer fighting; but when it is a question of dealing with these unfortunate people who have no friends, I think it my duty to join in the appeal which has been made to the right hon. Gentleman the Chief Secretary on this subject.

(9.28.) MR. S. T. EVANS (Glamorgan, Mid): Belonging as I do to a nationality which, like that of Ireland, is very much rooted in the soil, I have been intensely interested in the Debate of this evening. I think the right hon. Gentleman could not have a better opportunity than is now afforded him of doing something for the evicted tenants. The Debate has been of a most temperate character, and there seems to have been a consensus of opinion that something ought to be done for these people. Among landlords, especially in the case of the member for South Hunts, who delivered a speech in which he displayed the best instincts of the landlord, there is a feeling that with a view to the settlement of the land question in Ireland these poor people ought to be restored to their holdings. Now, what is the object of land purchase, and what has rendered the land purchase measure necessary? You have a strong attachment to the soil on the part of the people, and, on the other hand, you have new tenants who cannot be so deeply attached to the soil that they will feel much hurt at being turned out of the farms of which they have become tenants under somewhat peculiar circumstances. Some Members of the House have discussed the question from the point of view of expediency and others from the point of view of principle. Amongst the

latter class is the hon. Member for South Antrim, who said he objected to dealing with the question from the point of view of expediency, and that it should be dealt with from the point of view of principle. But the Chief Secretary himself admitted the expediency of doing something, and said it was his desire that, as far as possible, the evicted tenants should be restored to their holdings. The hon. Member for West Belfast has proposed a clause that the right hon. Gentleman says is unsatisfactory. Well, the hon. Member for West Belfast is not wedded to his clause. His loyalty to the interests of the evicted tenants is so great that he is prepared to throw over any *amour propre* he may have for his own proposal if he sees a chance of effecting his purpose by any other means, and he would readily accept any clause proposed by the Chief Secretary. It has been said that the present affords a great opportunity to the Chief Secretary for the complete settlement of the agrarian question in Ireland, and it certainly seems to me not only a good opportunity, but probably the last opportunity the right hon. Gentleman will have, because if the new tenants who have taken the place of the evicted tenants are to be turned into freeholders by this Bill, it will be a long day indeed before a measure is prepared to turn them out of their holdings. The Chief Secretary, whilst he desires to find a way out of the present difficulty, says the road to the solution is not the clause of my hon. Friend. But, surely, it is the right hon. Gentleman himself who has taken in hand the great matter of solving the agrarian difficulties in Ireland, and it is he who is best able, with all the information he possesses in the Irish Office, to frame a proposal. Surely it is not a statesmanlike action to let the House of Commons lose its grasp of the Land Purchase Bill without an attempt to settle this most difficult and thorny part of the agrarian question. I am not ambitious enough to cherish the hope of ever becoming Chief Secretary for Ireland, or of holding any other office under the Crown; but I do say that if I occupied the position the right hon. Gentleman occupies with such conspicuous ability, I should do my utmost to embrace the opportunity now afforded of settling this question.

(9.35.) MR. T. P. O'CONNOR (Liverpool, Scotland): I do not wish to add more than a few words to the very able speech of the hon. Gentleman who has just sat down, and whose intervention in the Debate we most cordially welcome. The speech of the Chief Secretary, to which I listened attentively, was, I thought, studiously intended to be conciliatory in tone. At the same time, I was unable to see how the right hon. Gentleman could reconcile himself to the two positions he took up. He admitted quite frankly that the case of these tenants should he dealt with if possible. He went further, and said—and I think that in his position the statement was quite credible—that there was no man in the House who desired more earnestly than he did the settlement of this question. He also alluded to the fact that from his own side of the House, from his own supporters, from the man prominent among his supporters for the part he has played in one of the fiercest struggles, had come an expression of the same wish, that the question should be settled. If I did not misunderstand the speech of the right hon. Gentleman, he went further, and admitted that the existence of this question, still open, would be an obstacle to the full success and fruition of the whole Land Purchase Bill. It is perfectly evident that if this question is left open it will interfere with the success of the Bill. Though these tenants may appear to the right hon. Gentleman to be in a broken position, they are still powerful in the sympathies of their fellow countrymen. The hold these evicted tenants have on the sympathies of their fellow-countrymen will render the operation of the Bill impossible on Campaign estates and, indeed, in the counties in which those estates are situated. I put that point to the right hon. Gentleman, and I ask him—viewing the circumstances apart from the political issues involved, which I, in common with my hon. Friend, wish to exclude from the present discussion—if he cannot realise the force of it. The exclusion of Campaign estates from the operation of the Bill will be a much more important and far reaching matter than the exclusion of the individual evicted tenants. The whole fate of the Bill in at least three provinces of Ireland is largely bound up with the

fate of the Campaign tenants. I do not wish to put the case more strongly than it will bear, but I am within the mark when I say that the present situation is similar to that of 1881. When Mr. Forster's Land Bill in 1881 was approaching completion, the Irish Members took it upon themselves to give the Government of that day some advice. A large number of persons were in prison at that time in connection with the agrarian agitation in Ireland under the suspension of the Habeas Corpus Act. The Irish Members told the Government that if they wished their Land Bill to be properly accepted in Ireland, they must release those men. The Government did not take that advice, and if they had, all I can say is that the Irish Members would not have succeeded in keeping the tenants out of the Courts. If the Chief Secretary turns a deaf ear to the warning now given by the Irish Members, he will find his experience will be similar to that of Mr. Forster. The right hon. Gentleman has sufficient acquaintance with the Irish character to know how large a part exasperated feeling plays in the reception of legislative proposals in Ireland, and I say that if he refuses our advice now as Mr. Forster did in 1881, he will have to be face to face with the same state of things. I should be sorry to think that the Chief Secretary would desire the influence of his legislation in Ireland to cease with the term of his official life. I should hope that he has a higher ambition than that, and that he desires to leave a permanent mark on the agrarian legislative history of the country, but that I hold he will not succeed in doing if he neglects this opportunity of settling the question of the evicted tenants. In this matter we Irish Members are pleading more for the future fame of the right hon. Gentleman than we are for our own political ends. I desire that the political question should be treated apart from the agrarian question with which we are mixed up. I hope I am dealing with the matter in a spirit of candour. I acknowledge that there was some force in one of the points the right hon. Gentleman made, though I cannot join in his eulogies of those Irish tenants who have been called "planters." I think if the right hon. Gentleman were as well acquainted with the antecedents and the character of some of these men as we are he would not himself join in these eulogies. But I cannot deny that some of these men have entered upon their holdings with the intention of cultivating them. I admit that some of them have gone in with the idea of cultivating the holdings tempted by the wages, though I hold that that does not apply to all this class of tenants. I think that the right hon. Gentleman was justified in pointing out to my hon. Friend the Member for West Belfast that there would be a certain degree of hardship in turning out these planter tenants who have been a year or two in occupation, especially where it can be shown that they have made *bonâ fide* payments for their holdings. But I think his objection can be met. I am rather disinclined to make any allusion to the Irish Church Surplus Fund, but I think that on these Benches, at least, we should make no objection to a portion of that fund being employed, if necessary, for the purpose of compensating these planter tenants whose eviction would necessarily follow the re-admission of the regular tenants. My hon. Friend the Member for West Belfast has asked me to throw that out as a suggestion to the Government. I would not make the suggestion, but for two reasons: First, because that fund is an Irish Fund, and we shall not be making a demand on the unfortunate British taxpayer; and, secondly, because, after all, the Land Purchase Bill is a Bill for the pacification of Ireland and the restoration of social order, and the use of this money in this way will effect that magnificent object. If the right hon. Gentleman would accept the principle of my hon. Friend's clause, and undertake to re-model the provision at a later stage, he would find no opposition from these Benches to the proposal I have made. I do not believe he would find any on the Benches opposite, whilst, if he did as I suggest, he would be making the best provision for the future success of this Land Purchase Bill.

(9.47.) MR. GILL (Louth, S.): I have not intervened in these Debates until now, for reasons that have no interest to the House of Commons. I will only say that, in the two sections in which my colleagues and the Irish Party are now divided, I feel every confidence that the interests of the Irish tenants, as concerned in this Bill, are amply taken

care of; and while my individual interference would be of no practical use either in urging this particular proposition or in opposing it, I was desirous of avoiding, as much as I could, an occasion when I might be brought into conflict with one section or the other of my colleagues. But this proposition of the hon. Gentleman the Member for West Belfast is one in which I feel particular interest, and I am keenly desirous of joining in the protest which has been made on these Benches against the idea that this is a proposition which ought to be dealt with solely on the ground of expediency. These men have been evicted simply because by their sacrifices, their efforts, and their heroism they have won for the rest of the tenants of Ireland the benefits of that legislation from which they themselves now stand excluded; and if ever men under Heaven have earned as a right the small modicum of justice sought to be given to them by this proposal, these tenants have done so. Their efforts will ever remain in the history of Ireland as a bright spot, and the Irish people will never forget them. On the question of expediency there is no necessity for me to say anything. Enough has already been said from these Benches to-night to prove to the right hon. Gentleman, if he needs it, that if ever a statesman was given an opportunity of performing an act of wise and conciliatory statesmanship, he is given that opportunity in the clause of my hon. Friend. I would, therefore, urge on the right hon. Gentleman, before he undertakes the responsibility of rejecting this proposition of my hon. Friend, to very carefully weigh all that that proposition means, both in the success of this measure in its working throughout Ireland, and in the fame that he hopes to leave to posterity in regard to his administration during very troublous years of my unfortunate country.

(9.53.) MR. M. HEALY: I trust we have not heard the last word from the Treasury Bench on this Bill. I think it will be felt in all quarters of the House that the Debate has been such as to warrant us in concluding that we may yet hear from the Government a more sympathetic view of the question than has been expressed in the speech of the Chief Secretary. That speech has been somewhat of a tantalising character; the right hon. Gentleman has admitted that there is a strong case for the evicted tenants, and one that is worthy of the consideration of the House of Commons, and has said that if this had simply been a Resolution expressing sympathy with them he would have been in favour of it. When the right hon. Gentleman has gone so far as that, I think he must feel that he must go a little further. I do not think it was worthy of him to treat the Amendment of my hon. Friend as he has done to-night. He took exception to its form, and one of the objections he made to it was, that it was of a negative character; but when a proposal was made which would have converted it into a positive proposal, he was the first to suggest that that proposal was out of order. That is not the way, I submit, to treat an important question of this kind—first, to suggest that a clause is lacking in some particular, and then, when an Amendment is proposed which will cure the defect complained of, to get up and ask you, Mr. Speaker, to rule that Amendment out of order. It is complained that the clause is in the interests of the Plan of Compaign, but those who use that argument I would remind of the sound policy of building a bridge for a flying enemy. It is said by hon. Members opposite that the position of these tenants is a desperate one. Even if it were so desperate as they endeavour to show, the Irish people will not desert them. But on these Benches we do not admit that the position of these tenants is of so desperate a character. That, perhaps, is verging on the ground of controversy, and I should prefer to treat this question as it has been treated hitherto, in a non-controversial spirit. I would join with hon. Members in all parts of the House in urging the Government to seize this acceptable time for settling this important question, and thereby to do something in the interest not merely of the Irish tenants themselves, but in the interests of order and social peace in Ireland generally. We have heard to-night the Plan of Campaign attacked. This is not a time to touch on any controversy of that kind, but I do ask hon. Members who offer these criticisms to remember the desperate circumstances of the Irish tenants when that method of combination was adopted, before they pour out the vials of their wrath on those tenants. The case of the

Government is that these men were intimidated, and that they were not free agents. That is the line the Chief Secretary has always taken in his speeches in this House, and that has been the position which the Irish landlords have assumed in this controversy—that if the tenants had been left to themselves they would not have joined the Plan of Campaign, and that to the extent to which they joined it they were not free agents. If it is true that the tenants were not free agents, and if they are suffering for the sins of other people, then I ask is it statesmanlike, or I would rather say is it just, that now when passing a large measure for the settlement of the land question in Ireland we should close our eyes to the position of these tenants, that the Government should assume the attitude which the Chief Secretary seems to have assumed, crying out that never to the end of time will there be pardon and forgiveness for the tenants whose combination, whatever you may say against it, has unquestionably been fruitful of the best results to their brethren throughout the length and breadth of Ireland? In whatever terms any hon. Member may characterise the Plan of Campaign, however you may consider that the tenants who were implicated in the combination have suffered for their own actions, no one can deny that, taking the tenants as a whole, their action has been productive of very beneficial results. That being so, it does seem to me that it would be a cruel and unjust thing, that now while passing a measure of land purchase, which you say is to be the last word of the English Parliament on the land question in Ireland, that you should shut the door of mercy and redemption on these unfortunate tenants, and for ever shut them out from their ancestral holdings—from their ancient homes. I hope, before the Debate concludes, we shall have an assurance of some more satisfactory character than we have at present; that between now and the end of this stage of the Bill the Government may see their way to make some proposal on behalf of these unfortunate tenants. The Chief Secretary has himself admitted that the condition of these tenants is one that commends itself to the sympathy of the House; he has said it is a desirable thing that the House should deal with the question of evicted tenants, making some provision on their behalf; and it does, therefore, seem to me a lame and impotent conclusion to turn upon the Amendment of my hon. Friend as the right hon. Gentleman has done, to deal with it not upon its merits, discussing it not in accordance with the gravity of the issues involved, but taking objection to petty points of form and drafting, and saying that, having regard to the particular form of the clause, the Government cannot accept it. I do ask the right hon. Gentleman to rise to the importance of the occasion, and, if he is satisfied of the desirability of dealing in some way with the question of evicted tenants, to put forward some proposal of his own, and not to be content with a negative attitude, criticising the present Amendment, though agreeing with it in principle, and making no counter proposal.

(10.4.) COLONEL WARING (Down, N.): I had no intention of intervening in this discussion. I have, I am glad to say, no evictions to answer for; and I had intended to give a silent vote. I cannot refrain, however, from expressing my sympathy with the object of the hon. Member who has just spoken. At the same time, I cannot help thinking that the speeches we have heard in support of the clause have been somewhat irrelevant to the proposition before the House, and, I may add, I cannot for a moment see how the proposition itself would answer the purpose expected from it by its proposer. I hope that some plan may be devised which will relieve these unfortunate men from the position in which they are placed; it is not relevant or desirable to say how they came into that position, and I regret that the remarks of the hon. Member who has just spoken should have tended in the direction of raising the old controversy. The hon. Member will not suppose that we shall agree that the Plan of Campaign has been any benefit to anybody. However, if it were possible to devise—and I think it would be possible to devise—some arrangement by which these unfortunate men might be relieved from the misfortunes which have befallen them, I certainly should regard such an arrangement with great satisfaction. How it is to be done is a question to which I cannot find the answer. I hope the Chief Secretary will

consider the possibility of bringing forward such a plan. This proposal, however, is one I could not, under any circumstances, support; it would touch but the fringe of the question, and would do gross injustice to a class of tenants as much entitled to consideration as those the hon. Member proposes to relieve. I must vote against the Amendment, though I sympathise with its object.

(10.7.) MR. DICKSON (Dublin, St. Stephen's Green): I hope that, before this Debate closes, the Chief Secretary will say something towards giving effect to what seems to be the unanimous opinion that something should be done in the direction of this clause. Let me point out to the right hon. Gentleman that the success of his Land Bill depends very largely upon what is done upon this point. It is utterly impossible to expect a restoration of peace so long as evicted tenants remain without the chance of restoration to their holdings. I venture to predict, that in many a parish the Land Bill will end in disappointment and failure if nothing is done under it for these evicted tenants. The right hon. Gentleman objects to the Amendment moved by my hon. Friend; and though he admits that it is desirable that something of the kind should be done, he makes no alternative suggestion. Surely something might be done to mitigate the difficulties of the position. There were on the Derry estates at one time 500 tenants under notice of eviction, but the Drapers' Company very wisely submitted their case to arbitration. The whole county was in a disturbed state; police and military were engaged in eviction duty; but no sooner was arbitration entered upon than things quieted down and land purchase went on, and peace and order reigns where confusion and anarchy prevailed. I hope that on other estates something may be done to bring about such a result. It is impossible that peace can exist where these new tenants are occupying the land the evicted tenants have made profitable. In the interests of peace and order we support this proposal. I hope the last word has not been said from the Treasury Bench on this subject; and to give the right hon. Gentleman the Chief Secretary the opportunity of a reply, I now beg to move the Adjournment of the Debate.

Colonel Waring

(10.10.) MR. LANE (Cork, E.): In seconding this Motion, I do so with the hope that the right hon. Gentleman will intervene with some assurance that will give satisfaction to both sides of the House. As the Debate has proceeded and opinions have been expressed in favour of the principle, if not of the form of the Amendment, we have felt reasonable ground for the belief that the right hon. Gentleman would change the attitude he assumed at the beginning of the discussion. We believe that time and consideration will enable him to give effect to his good wishes which he says this clause will not accomplish. In seconding the Motion, I do not follow the line taken by some of my colleagues; I make no appeal *ad misericordiam* on behalf of these tenants. I do not believe that the position of the evicted tenants is at all so desperate as some of my friends seem to think it is——

*MR. SPEAKER: The Question before the House is now the Adjournment of the Debate, and upon that the hon. Member is not entitled to discuss the Main Question.

MR. LANE: I sincerely hope that the right hon. Gentleman will reply with a short assurance that before the Bill leaves the House he will give consideration to this subject. I hope he will re-consider his position, and that his promise will enable us to proceed more rapidly with this Bill, which now blocks the way of other Parliamentary business.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Dickson.*)

(10.13.) MR. SEXTON: Anyone who has observed the course of the Debate must admit there are reasons which justify this Motion for Adjournment. My hon. Friends are not actuated by any desire to prolong Debate or interrupt the proceedings, but the motive has been mentioned by my hon. Friend (Mr. Dickson). The right hon. Gentleman is, by the Rules of Debate, shut out from making another speech except by the indulgence of the House, but this Motion affords him the opportunity of briefly stating what his intention is. Without trenching at all upon the matter of the Main Debate, I may be

allowed to say that there are two peculiar features that mark out this Amendment as occupying an exceptional position in the proceeding upon the Bill: In the first place, there is the admission of the Chief Secretary that this is a question which, in the public interest, it is desirable to deal with. The Chief Secretary is a man of acute intellect, and a master of resource, and I am astonished that after such a case has been presented for settlement he should come to the lame and impotent sequel that nothing can be done. The second remarkable feature is the extraordinary agreement upon this battle ground of faction in regard to this particular point that there is a question which calls for treatment. I have heard with great satisfaction speeches from the other side of the House, only one hon. Member assuming an absolutely hostile attitude. The hon. Member for South Hunts (Mr. Smith-Barry) has made a speech to-night of which the least that can be said is that it interposed no obstacle in the way of a friendly settlement; the hon. and gallant Member for South Down (Colonel Waring) has spoken in the same sense, and I believe the hon. Member for South Tyrone (Mr. T. W. Russell) has indicated his willingness that a settlement should be arrived at, and that, I believe, is the feeling entertained by the hon. Member for South Derry (Mr. Lea). I do not know that it can be said that any Party, section, or man is opposed to the principle of my proposal. I am not a lawyer, and can lay claim to no skill in drawing Amendments, but if it be admitted that the principle of my clause is worthy of assent, I will say that my only desire is that some way may be found of restoring these people to their homes, that since the right hon. Gentleman spoke my hon. Friends have opened up new matter for consideration, and I think we are now entitled to hear from the right hon. Gentleman what course he intends to take—whether he is still satisfied to let the question drop, injuring the prospects of land purchase, or if, with a better sense of his responsibility, he will make an attempt to settle the question on this or a future stage of the Bill. I am not unreasonably exacting; I am willing to withdraw the clause if I have what an intelligent man may regard as reasonable ground for hope that the right hon. Gentleman will deal with the subject.

(10.20.) MR. A. J. BALFOUR: I understand that the object with which the Adjournment has been moved is to obtain from the Government a further declaration of policy in regard to the important question raised by the hon. Member for West Belfast. Although it is not competent for me on this Motion to discuss the merits of the question raised by the Amendment, I may remind the House that it is a proposal to enable purchase to take place between the landlords and the ex-tenants over the heads of the actual tenantry. Substantially this is what the proposal amounts to, and, though I do not think it is necessary, I must repeat what I have said before, that it is really quite impossible for the Government to give their assent to a proposal of that kind. While entertaining a strong opinion against the justice and policy of any such suggestion, I do not withdraw what I have said as to my desire to see the disputes on the Plan of Campaign estates settled as soon as possible on an equitable basis. I confess I should not even have gone that length if I believed that, as a factor in politics, the Plan of Campaign had any longer any existence. I believe it is admitted that the Plan of Campaign is dead and a thing of the past, and that makes it easier for us to express our desire to see all these disputes settled on an amicable basis. Hon. Members, with compliments to my intellectual ingenuity, have suggested that I must have a plan for dealing with this question. I have no such plan, nor would this be the occasion to suggest one. All I can now do is to express my opinion upon the proposal before the House. I stated that opinion at length on the Second Reading, and I will not now attempt to re-argue the question. All I will now say is that the opinion I then gave has not been modified by the course of subsequent discussion. I trust that hon. Members will not prolong the Debate, or consider it necessary to press the Motion to Division, because there are other points to be settled sufficient to occupy the House for the remainder of the evening, and which I trust we may now be allowed to proceed with.

SIR G. TREVELYAN: I am afraid that we must accept the opinion of the right hon. Gentleman as a *non possumus*,

although he has renewed his expression of a desire that some means might be found of clearing up the difficulties on the Plan of Campaign estates. The House, however, asks from the Government not the expression of a desire, but the expression of an intention. More especially is this the case when the Government is being provided by Parliament with such enormous pecuniary means for dealing with the land question, and, after all, money is the great factor in these matters. If the Chief Secretary had added to the expression of his desire the declaration that the Government were determined to spare neither pains nor money in dealing with this difficulty, and bringing the discontent to an end, I am quite sure that in that case the hon. Member for West Belfast would withdraw his clause. But the right hon. Gentleman is not prepared to go to that extent, and there is nothing for us but to fight it out in the Division Lobbies. Very sorry I am that this should be the result of a Debate in which on both sides so much sympathy has been expressed with the object of the clause.

MR. J. LOWTHER (Kent, Thanet): The right hon. Gentleman who has just sat down said something about fighting out this question in the Division Lobbies, but he omitted to tell us what it is that is to be thus decided. Does he endorse the opinion that occupying tenants should be set aside?

*MR. SPEAKER: The question of Adjournment is not yet disposed of.

Question put, and negatived.

Original Question again proposed.

(10.25.) MR. J. LOWTHER: The right hon. Gentleman, on resuming his seat, said it only remained to fight out the question in the Division Lobbies, but the right hon. Gentleman omitted to state what the question was. Do we understand that the right hon. Gentleman really endorses the opinion that occupying tenants should be superseded by tenants who have been evicted—that tenants who violated the law, who joined an illegal conspiracy, are to be restored by the aid of the Government to the holdings they formerly occupied, to the exclusion of other tenants now lawfully occupying them? I did not rise to make a speech on the main question, but merely to reply to the remarks of the right hon. Gentleman made on the Motion for Adjournment. I think we are entitled to hear from a right hon. Gentleman who has occupied a responsible position in the Government whether he endorses the theory laid down in support of this clause, or what plan he would suggest. At any rate, I hope the Government will stand firm to the policy of vindicating the law, and of holding out no incentives to its breach.

The House divided: — Ayes 74; Noes 112.—(Div. List, No. 258.)

(10.37.) MR. KNOX: I now beg to move the new clause standing in my name, "Order cancelling agreement." It is necessary in regard to the first section of the clause to explain what the present state of the law is. When the Land Purchase Act of 1885 was passed, there was no provision by which the Land Commissioners could try even an action for specific performance, and the only way in which either party could enforce an agreement was by an action in the Chancery Division. That was found to be an extremely inconvenient procedure, and by Section 22 of the Act of 1887 some provision was made on the point. That section provided that, after an agreement had been made for a sale of a holding, either party to the agreement might apply in a summary manner to the Land Commission for a decree for specific performance of the agreement, and the Land Commission should have authority to decide on such application and should have such power to make a decree as was vested in the Chancery Division. Unfortunately, that was not altogether sufficient. Take the case of a tenant who has been compelled to make an agreement under duress. I think the Attorney General for Ireland will admit that where there has been duress specific performance of an agreement ought not to be required. The tenant would be inclined to resist the performance of the agreement, but if the proceedings for specific performance were brought in the Land Commission there would be nothing very onerous about them; he would be able to resist the action without incurring a large expenditure. But there is nothing to compel a landlord to proceed in the Land Commission; he can bring the action in the Chancery Division just as well as in the Land Commission. If the

tenant is a poor man the landlord will prefer to bring the action in the Chancery Division, so I think it will be admitted that, under the present law, the tenant suffers an injustice. I confess that, personally, I attach as much importance to the 2nd sub-section of the clause as to the 1st, though I cannot be so sure the right hon. and learned Gentleman will be able to accept it. I, nevertheless, press it for his consideration. Under the present law as laid down by Mr. Commissioner Lynch, in the cases of the Marquess of Waterford, the tenant, in order to defeat an action for specific performance, must prove, not merely that he signed the agreement under fear of eviction, but that he had no other reason for signing it. Of course, nearly every tenant signing an agreement for purchase knows that afterwards his annual payments will be less than his old rent, and that, undoubtedly, is a motive to induce him to sign; but, nevertheless, in many cases the ruling motive is a fear of eviction. I propose that the Land Commission shall cancel the agreement where they find that fear of eviction was present at the time when the agreement was signed, and that it shall not be necessary for them to inquire whether such fear of eviction was the only motive actuating the tenant. Of course, the second part of the clause will only be put into operation in cases of extreme injustice. I have made it available for both parties to the agreement, though practically the tenant alone will avail himself of it.

New Clause—

(Order cancelling agreement.)

"(1.) If, after any application for an advance under this Act has been made, it appears to the Land Commission on the application of either party to the purchase agreement that the other party could not obtain an order for the specific performance of the agreement, the Land Commission may order the agreement to be cancelled, and the agreement shall thereupon be void.

(2.) If it be proved that the tenant when he signed the agreement was in fear of eviction, the agreement shall, on the application of the tenant under this section, be cancelled,"—(*Mr. Knox,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

*(10.47.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The hon. and learned Member has stated that the Amendment is intended to meet what he describes as extreme cases of injustice. I wish, however, to point out to the House that already, under the Act of 1885, a sufficient protection has been afforded to either party to the agreement against extreme cases of injustice. If either party objects to the agreement being carried out the party who wishes to have it specifically performed can apply in a summary way to the Land Commission, who, if they see reason, can refuse to carry out the agreement. Under the hon. Member's clause, as drawn, it need not be proved that the fear of eviction is well founded, or that it is an important element in the consideration of the tenant when he enters into the agreement. He need only prove that he has a fear of eviction, and he can put an end to the agreement. A clause containing such a provision could not possibly be accepted even if the proposal was not unnecessary.

(10.50.) MR. M. J. KENNY: I greatly regret that the right hon. Gentleman has not seen his way to accept the Amendment. Anyone who reads the Return that has been made to this House of the judgments of the Land Commission on this matter will see that the law is not in a satisfactory state. The power my hon. Friend proposes to confer on the Land Commission is, I believe, precisely analogous to that vested in the old Landed Estates Court to set aside sales obtained fraudulently or on misrepresentation. Why should not the Land Commission, which is a much more important Court, have a similar power to that possessed by the Landed Estates Court? We cannot but consider that there is a serious defect in the law as it stands, and unless the Amendment is accepted the Land Commission will be in a great difficulty, and persons who have been entrapped or forced into purchase will be at a serious disadvantage on account of the defective condition of the law. It is true that the purchaser who has purchased under duress may go into the Court of Chancery, but proceedings in the Court of Chancery are exceedingly costly, and in the case of a small tenancy it would cost as much as the value of the holding to take even the initial steps in a question of duress or fraud. The object of land legislation for years past

has been to simplify the proceedings. In many respects the Land Commission is a branch of the Court of Chancery. Whenever questions of equity come into play jurisdiction has been conferred on the Land Commission to deal with them. Mr. Justice Bewley was appointed President of the Commission, on account, I assume, of his particular qualifications in that respect. There is no question at all of the ability of the Master of the Rolls and the two Judges to whom a question of this kind would be in the first instance referred under the present law, but there is equally no doubt that on a question of law, Mr. Justice Bewley is quite as high an authority as those Judges. Why should not the proceedings be cheapened by allowing the tenants to go direct to Mr. Justice Bewley? The clause would materially improve the Bill.

(10.56.) MR. M. HEALY: I am sorry the right hon. Gentleman cannot see his way to accept this Amendment, which I think would be a distinct improvement in land purchase legislation. Of course there is, as the right hon. Gentleman says, power vested in the Land Commission to transfer to itself the jurisdiction of the Chancery Division on these questions, but it is still in the power of the landlord to go into the Court of Chancery and enforce specific performance there. It is plain that a power of that kind may be exercised by the landlord in a most oppressive way. The costs of a Chancery suit would be utterly out of proportion to the value of an average tenant's holding, and an unfortunate tenant might as well give up his holding altogether as attempt to resist a suit in the Court of Chancery. The tendency of legislation has been to consolidate in the hands of the Land Commission all powers relating to land questions. All my hon. Friend's proposal does is to carry that tendency a little further, and, seeing that the Government, in the Act of 1887, proposed to hand over to the Land Commission co-ordinate powers with the Court of Chancery in regard to specific performance, it would, I think, be very unwise to reject the present proposal. It is perfectly plain that the second portion of the clause would put an end to a distinct blot in the existing law. Reference to a Return issued to this House will show that there are a large number of cases in existence in which it is competent for the landlord to enforce in the Court of Chancery utterly inequitable and iniquitous agreements, with results most disastrous to the tenants. The tenants themselves complain that the agreements were arrived at under such circumstances as to entitle them now to have them amended. Indeed, they did refuse to put them in force; but when they went before Commissioner Lynch, he found himself coerced by the existing state of the law to declare that they were bound to execute their purchase agreements—agreements which were practically obtained by force and fraud, and the carrying into effect of which would inevitably lead to their eviction from their homes. I have had, on more occasions than one, tenants coming to me and telling me how these agreements were exacted from them by the landlords under pressure. I had one tenant tell me that the landlord was putting pressure upon him to pay at a price which was both unjust and iniquitous; but he was going to execute the agreement, because he believed the price was such that the Land Commission itself would refuse to sanction the sale. His anticipation was verified. The Commission refused to sanction the sale under such conditions. Now, I say the Government, if they are anxious to protect the interests of the British taxpayer, ought to accept a clause of this kind, for it will prevent improper pressure being put on the tenants to make agreements which they cannot carry into effect under this Act. It will secure, at any rate, that such agreements as are made will be just and fair.

(11.4.) MR. P. J. POWER: I gather one of the objects of this clause is to cheapen procedure. My hon. Friend referred to some correspondence laid before the House in connection with the Marquess of Waterford's estate. That estate is within my constituency, and I am in a position to know something of what has occurred there. I am informed that five of the tenants who signed the agreements referred to in the correspondence — an agreement executed under duress—have since been sold out. I think if the power contained in this clause were conferred on the Land Commission it would be for the safety of the tenant, and likewise for the safety of the State, and I think the refusal of the Government to accept it shows a

want of confidence on their part in the Land Commission.

MR. SEXTON: I think it is somewhat unreasonable, seeing that we are now dealing with a vast number of poor people, that the landlord should retain the power to take these cases to the Court of Chancery. Surely the Attorney General for Ireland must have forgotten himself, or must have supposed the House had forgotten, that out of 600,000 tenants who may be dealt with under this Bill, 400,000 are tenants whose rents are under £10 a year, and does he seriously suppose that in the case of a body of tenants, of whom two-thirds are under £10, reference to the Court of Chancery is reasonable? I do urge that this question should be dealt with by the Land Commission, although the Attorney General persists that there ought to be an option for the landlord to go to the Court of Chancery if he chooses.

*MR. MADDEN: This clause does not affect the Court of Chancery at all. The Land Commission will be able to hold their hands if they see anything improper in the agreement. As the law now stands, instead of going to the Court of Chancery, the parties can have the dispute tried in a summary manner on application to the Land Commission, and the necessary legal procedure has already been provided for that.

MR. SEXTON: I am quite aware that the landlord can go either to the Land Commission or to the Court of Chancery. That is my complaint. I wish the jurisdiction of the Court of Chancery to be so far ousted that the tenant shall have the right to have the case tried before the Land Commission if he chooses.

MR. KNOX: Will the learned Attorney General consent to an Amendment to Section 22, in the Act of 1887, so as to direct that the landlord, if he wishes to bring an action for specific performance of his agreement, shall do so before the Land Commission?

*MR. MADDEN: I do not think it would be fair to give that undertaking.

(11.11.) The House divided:—Ayes 70; Noes 111.—(Div. List, No. 259.)

*(11.21.) MR. RATHBONE: I wish to propose the clause which stands in my name, providing for certain restrictions upon the sub-division of holdings. The object, of course, is to increase the stringency of the law against the sub-division of the larger holdings that will be created under this Act. No one who has not visited Ireland can realise the danger of such large holdings in Ireland being sub-divided. All recent legislation has been in the direction of providing that the evil shall be reduced as far as possible; and now, when we are going to create in Ireland a body of landowners of £50 a year and upwards, I think we are bound to provide that the evil should be still further guarded against. It has been clearly shown that a holding of £20 a year is the size which a tenant can best work. On this question of small holdings there was a curious experience on the estate of Lord Portsmouth. Forty-six years ago the late Lord Portsmouth had an agent who said to him, "If you want your tenants to be prosperous you must give them security of tenure." Accordingly, he put in a form of lease the customs of the country, and set forth that the tenant was to be considered the possessor of all his improvements in the land which the landlord could not show had been made at the cost of the landlord. He agreed not to raise the rent on those improvements, and to give free power of sale. It is most remarkable what the effect of that action was. Ten years ago Lord Portsmouth informed me that in the course of 36 years the estate had cleared itself of all tenants under £20, for in bad years the less thrifty had sold their holdings to the more prosperous. In addition to that, on the last settling day, before Lord Portsmouth gave me the information, the gross arrears on an annual rental of £13,000 or £14,000 amounted only to £500. That, I hold, is a strong argument that holdings of £20 are those most suited to a peasant cultivator. I may be told that it will be in the power of the Land Commission to prevent any greater sub-division. I think we want further security than that. When we are giving men who have no special claims upon us this great advantage, we have a right to say that they shall not sub-divide their agricultural holdings. No doubt, so long as the present Chief Secretary remains in office, care will be taken to prevent sub-division; but we know how in Ireland pressure can be brought to bear upon Public Courts and Bodies; we

know what a ridiculous way they have of managing things there; and, consequently, it is important to provide against any future possibility of sub-division. I think we are entitled to the insertion of this provision to prevent the recurrence of an evil we are now trying to remedy. I therefore move the clause of which I have given notice in the hope that the Chief Secretary will see his way to accept it, and thus strengthen a Bill which I believe will redound to his credit.

New Clause—

(Restriction on sub-division of holdings.)

"The Land Commission shall not, as respects any holding charged with an annuity in their favour for the repayment of an advance under the Land Purchase Acts or this Act, consent to the sub-division thereof into portions the fair rent of any one of which would, in the opinion of the Land Commission, be less than £20; and the Land Commission, if they become aware of any such holding being so sub-divided, shall put in force their powers under Section 30 of the Land Law (Ireland) Act, 1881, for the sale of the holding,"—(*Mr. Rathbone,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

(11.30.) MR. A. J. BALFOUR: I sympathise with the object of the hon. Member, but it is already adequately secured by the provisions in the Bill. No doubt Public Bodies in Ireland, as elsewhere, are subject to public pressure, but there is no fear of there being in Ireland any pressure in favour of encouraging sub-division.

Question put, and negatived.

MR. KNOX: I now beg to move the clause next standing in my name. The Trustees entitled to estates for sale are really landlords, and ought to have the same right to sell to tenants as other landlords. I should have been glad if mortgagees could have been included in the clause, but I have confined it as nearly as possible to the terms of a similar clause in the Land Department Bill. There are many schools all over Ireland which hold property, and it is very desirable that they also should be enabled to sell to tenants. The 2nd sub-section of the clause will enable sales to be made in those cases where there are middlemen, a class whom we all wish to get rid of.

New Clause—

(Person entitled as Landlord to sell under Act.)

"(1.) Any persons entitled to an estate as Trustees for sale or Trustees with a power of sale, and any Body corporate, Trustees for charities, commissioners, or trustees for collegiate or other public purposes, shall have the same power of selling under the Land Purchase Acts, as amended by this Act, as if they were private individuals, subject, nevertheless, to the provisions of the said Acts respecting the disposal of the purchase money, and subject also to such consent (if any) as would be required in the case of a sale independently of this Act.

(2.) A landlord holding land under a lease for lives or years renewable for ever, or for a term of years, of which not less than 60 are unexpired at the time of a sale, may sell under the said Acts as if he were owner of the fee simple and inheritance of such land, subject, nevertheless, to the provisions of this Act,"—(*Mr. Knox,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

*MR. MADDEN: I am quite ready to accept the first part of the Amendment, but it would be impossible for the Government to adopt the second part.

Question put, and agreed to.

Clause read a second time.

Amendment proposed, to leave out Sub-section 2.

Motion made, and Question, "That Sub-section 2 stand part of the Clause," put, and negatived.

Clause, as amended, added.

*MR. SPEAKER: The next clause on the Paper, "Rights of turbary and acquisition of bog," is out of order.

(11.45.) MR. KNOX: I now approach a very difficult and complicated subject. I beg to move the new clause which stands in my name as to the jurisdiction of the Land Commission. I think it desirable, if Mr. Wrench and Mr. Justice Fitzgerald are to be permitted to meddle in the business hitherto conducted by Mr. MacCarthy and Mr. Lynch, that Mr. MacCarthy and Mr. Lynch should be allowed to meddle in the business hitherto conducted by others. I object to the Government method of merging these jurisdictions, as a matter of general principle; and I think that if there is to be any merging of jurisdiction, it should be merging all round. It would be desirable to give Mr. Lynch and Mr. MacCarthy the power

to make absolute orders for the sale of estates which are now held up in consequence of the learned Judges refusing to make such orders. It would facilitate land purchase all over Ireland if that were done. There is an immense amount of property held up in Ireland under the Landed Estates Court. We have heard of the copper corner in France, but there is a far greater corner in land in Ireland. There is a great deal to be said for compulsory purchase where the landlord is unable to perform the ordinary functions of landlord, and in such cases I think we should provide that there should be compulsory purchase on the application of the tenant. We cannot provide that in the Bill, but we can give to Mr. MacCarthy and Mr. Lynch a power to order that in these cases there shall be an absolute sale—and we know that in nine cases out of ten in Ireland the only purchaser would be the tenant. The tenant would not be looked on so unfavourably by the Land Commissioners as he is looked on by the Judges of the Landed Estates Court; and if we adopted this principle we should carry out the spirit, if not the letter, of the proposal the hon. Member for Londonderry put before his constituents when the question of compulsory purchase was attracting a good deal of attention in Ireland a short time ago. Briefly, the effect of the 2nd sub-section is to give the Treasury power to transfer from the Board of Works to the Land Commission the power to make advances in certain cases where they could much more conveniently be made through the Land Commission than through the Board of Works. I refer specially to labourers' cottages and to loans for the improvement of land and for other purposes. I think it will be admitted that this is a very simple administrative reform, to which no objection can be made from any part of the House. It may be pointed out by the Attorney General for Ireland that there is a distinction made between the Commissioners appointed under the Land Purchase Act 1885 and the Land Commission, and I do not wish for a moment to disguise that fact from the House. It is part of the general scheme of the clause. If it is necessary to give Mr. Wrench and Mr. Fitzgerald other occupations than that of revising rents, we could not object to give them power to inquire whether loans for improving labourers' cottages or land should be made. But, on the other hand, the duties of the Land Judges under the Landed Estates Act are largely contentious, and the gentlemen who have hitherto fulfilled those important duties have not allowed any sales to be made on account of their political opinions. I think, therefore, that, in making this transfer, it is necessary to make it to gentlemen who have not pursued precisely the same policy as has been pursued by Mr. Justice Monroe.

New Clause—

(Jurisdiction of Land Commission 40 & 41 Vic. c. 57.)

"(1.) There shall be transferred to the Land Commissioners appointed under "The Purchase of Land (Ireland) Act, 1885," the jurisdiction, powers, and duties following, namely:—The jurisdiction which was by "The Supreme Court of Judicature (Ireland) Act, 1877," transferred from the Landed Estates Court, Ireland, to the High Court, including the control and direction of the Record of Title Office of the Landed Estates Court, Ireland, and all powers and duties exercised and discharged by the judges of that court, or either of them, under "The Record of Title Act (Ireland), 1865," so far as the same jurisdiction, powers, and duties exist at the commencement of this Act. (2.) The Treasury may from time to time, on being satisfied that the transfer to the Land Commission of any of the powers or duties hereinafter mentioned would be conducive to efficiency and economy, by order (in this Act referred to as an order of transfer) transfer to the Land Commission any of the powers or duties of the Board of Works under any of the enactments mentioned in the First Schedule to this Act, or any amending enactment, so far as any such enactment relates to loans for the improvement of lands in Ireland, or to the erection of farm buildings or labourers' cottages, and thereupon those powers and duties shall be transferred accordingly, but the exercise and performance thereof shall be subject to the like control by the Treasury as at the date of such order. (3.) The Land Commissioners appointed under the said Act of 1885 may exercise, for the purposes of their duties under the Land Purchase Acts, any powers vested in them by virtue of the transfer of the powers of the Landed Estates Court, Ireland, and the Land Judge, hereinbefore mentioned. (4.) The Land Commission, or such Commissioners as aforesaid, shall not be subject to be restrained in the execution of their powers under this Act by the order of any Court, nor shall any proceedings before them be removed by certiorari into any court,"—(*Mr. Knox*),

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

*(11.54.) MR. MADDEN: I think this clause does not raise to any extent the larger question adverted to by the hon. Member. It has been taken out of the Land Department Bill, but it is inapplicable to the present Bill. The Land Department Bill would have constituted a great Department for the discharge of duties of a very varied character connected with the land, and it proposed to vest those jurisdictions in the Land Department as a whole. This clause proceeds on a diametrically opposite principle, and proposes to vest this in the two additional Commissioners appointed in 1885. The 2nd sub-section is a good one if you are dealing with a Department that is to be able to discharge the varied duties to which I have alluded, but it would be unreasonable to adopt the sub-section under existing circumstances.

(11.58.) MR. M. HEALY: The right hon. Gentleman makes it a grievance that my hon. Friend has adopted the proposals of the Government.

*MR. MADDEN: He has not adopted them all.

MR. M. HEALY: These are perfectly good, and we make no difficulty in acknowledging the fact. The Government think it an excellent proposal to hand over to Mr. Wrench and Mr. Justice Fitzgerald co-ordinate jurisdiction with the Land Purchase Commissioners, but think it is a monstrous thing that the converse should take place so far as the duties transferred from the Landed Estates Court to the High Court are concerned. That is the attitude frequently taken up by the Government and their friends in these matters.

It being Midnight, the Debate stood adjourned.

Debate to be resumed upon Thursday.

FIRE INQUESTS BILL.—(No. 264.)

Order for Second Reading read, and discharged.

Bill withdrawn.

SUMMARY JURISDICTION ACT (1879) AMENDMENT BILL.—(No. 227.)

Order for Second Reading read, and discharged.

Bill withdrawn.

SEAL FISHERY (BEHRING'S SEA) BILL.—(No. 345.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Thursday.

SELECTION (STANDING COMMITTEES).

Sir JOHN MOWBRAY reported from the Committee of Selection; That they had added to the Standing Committee on Law, and Courts of Justice, and Legal Procedure, the following Fifteen Members in respect of the Stamp Duties Bill and the Stamp Duties Management Bill, viz.: Mr. Bonsor, Mr. Bristowe, Mr. Causton, Mr. Chance, Mr. Cobb, Mr. Theodore Fry, Mr. Gibbs, Mr. Goschen, Mr. Maurice Healy, Mr. Jackson, Mr. Kimber, Mr. Lloyd-George, Mr. Fraser-Mackintosh, Sir Joseph Weston, and Mr. Whitley.

Sir JOHN MOWBRAY further reported from the Committee; That they had added to the Standing Committee on Trade (including Agriculture and Fishing), Shipping and Manufacture, the following Fifteen Members in respect of the Industrial Assurance Bill, viz.: Mr. Spencer Balfour, Mr. Bartley, Mr. Gainsford Bruce, Mr. Caldwell, Dr. Clark, Mr. Cremer, Mr. Fenwick, Mr. Fielden, Mr. Foley, Mr. Herbert Gladstone, Mr. Samuel Hoare, Mr. Lawrence, Sir Herbert Maxwell, Mr. Pritchard Morgan, and Mr. Norton.

Sir JOHN MOWBRAY further reported from the Committee; That they had discharged Mr. William Lowther from the Standing Committee on Trade (including Agriculture and Fishing), Shipping and Manufacture; and had appointed in substitution: Mr. Rankin.

Sir JOHN MOWBRAY further reported from the Committee; That they had discharged Mr. Wodehouse from the Standing Committee on Law, and Courts of Justice, and Legal Procedure; and had appointed in substitution: Mr. Lewis Fry.

Report to lie upon the Table.

HARES AND RABBITS BILL.—(No. 154.)

Order for Second Reading this day read, and discharged.

Bill withdrawn.

House adjourned at five minutes after Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, 3rd June, 1891.

ORDERS OF THE DAY.

ROADS AND STREETS IN POLICE BURGHS (SCOTLAND) BILL.—(No. 12.)

COMMITTEE.

Considered in Committee

(In the Committee.)

Clause 1 agreed to.

Clause 2.

(12.35.) MR. JOSEPH C. BOLTON (Stirling) moved, in page 1, line 7, after "burgh," to insert "the population of which is not less than five thousand according to last Census." The hon. Member said: A clause to this effect was inserted in the Bill of 1888, and I have no doubt that if that Bill had been proceeded with it would have become law. I think that the Amendment which I now propose may be fairly accepted by the House as a settlement of the question. It will then become a matter of arrangement between the burghs and the counties as to whether the localities shall take on themselves the expense of maintaining the roads within their own burghs. There are some burghs, which are small in extent, where it is of importance that they should not only have good roads in the burghs themselves, but very good roads outside. This question of roads, however, cannot be taken up without reference to the other financial arrangements between the burghs and counties. I have here before me a statement which shows that the assessment for police within a burgh in one rural parish amounted to £82, while the expenditure upon the police was £187. If the expenditure were less than the assessment the burghs would not take advantage of the Act, but would leave the county to pay the excess; but there are other rural parishes in which the figures are reversed. For instance, there is a parish which is assessed at £208, whereas the actual expenditure is only £45. This, I think, will show how unfairly the rural parishes have been compelled to contribute to a large assessment for police, while the burghs have escaped with practically a very moderate contribution indeed. I beg to move the Amendment which stands in my name.

Amendment proposed,

In page 1, line 7, after "burgh," insert "the population of which is not less than five thousand according to last census."—(*Mr. J. C. Bolton.*)

Question proposed, "That those words be there inserted."

(12.40.) MR. H. ELLIOT (Ayrshire, N.): I think we have a right to complain of the course which the hon. Member has taken. This Bill was read a second time several months ago, but the Committee stage was deliberately delayed, at the request of the Lord Advocate, so that the counties should have time to consider their position in regard to the Bill. The hon. Member now proposes a most important Amendment, which certainly ought to have been placed upon the Paper much earlier, so that the different police burghs might have had time to consider the matter. I, for one, cannot accept the Amendment, principally on the ground that it would really fail to be a settlement of the question. I am confident that if the Amendment were accepted it would be no settlement. The population limit proposed is utterly unworkable and arbitrary, and would be likely to lead to inconsistency and incongruity. That would be the state of matters in the county which the hon. Member himself represents. There are two police burghs there, one with a population of 5,200, and another—the Bridge of Allan—with a population of 4,970. The hon. Member proposes that the Bill shall apply to one of these burghs and not to the other, while royal burghs, with a much less population, are to be allowed to manage their own affairs. If this Amendment is accepted all police burghs with a population above 5,000 will be taken entirely out of the county.

MR. JOSEPH C. BOLTON: No.

MR. H. ELLIOT: If that is so I rest my case on the principle that every burgh,

great or small, when it becomes a burgh, should have the management of its own streets, although it may be required to make some contribution to a fund for general purposes.

(12.45.) MR. ASHER (Elgin, &c.): The effect of the Amendment will be this: that the benefit proposed to be conferred on the burghs by this Bill will be taken away from all burghs with a population of less than 5,000. Every police burgh having a population of less than 5,000 will be altogether excluded from any benefit whatever under the Bill. I hope the Committee will not accept such a proposition, which, if it were adopted, would go a long way towards destroying the advantages contemplated in the introduction of the Bill. There are at present in Scotland 88 police burghs which do not enjoy the administration of their own roads, and if this Amendment is adopted it will exclude from the benefits of the Bill 42 police burghs. This population limit has no principle whatever to justify it, and it is absolutely impossible to state any principle that will make it right and proper that a burgh with a population of 5,000 should have the management of its own roads, while another burgh with a population of 4,800 should not. In the police burghs, which it is proposed to exclude, all the grievances exist which have led to the introduction of the Bill—a double administration, double assessment, and the Commissioners of Towns having control of one part of the burgh while they are excluded from any control in the other. These are grievances which exist without reference to population at all, and if they are grievances why should they be regulated by a population limit? The circumstances of the Scotch police burghs are infinitely various. No doubt if the Amendment were carried it would exclude some which desire to come under the Bill, as well as those who do not; and it takes no notice of the fact that at different periods the population of Scotland varies in accordance with the seasons. The only argument which my hon. Friend put forward in favour of the Amendment was the financial one. He said, "You are dealing with the financial arrangements with regard to roads, but not with the other financial arrangements which exist between the counties and burghs." But there is no relation between a population limit of 5,000 and the financial objection which has been brought forward. As the Amendment is entirely against the principle of the Bill, I hope the Committee will not accept it.

*(12.58.) COLONEL MALCOLM (Argyllshire): I think it would not be difficult to meet most of the objections which have been urged. The fact is that the Amendment which stands in my name, taken in conjunction with others which stand on the Paper further down, does not exclude any burgh from having charge of its own roads and streets, but all that it does is to lay down certain conditions. I have a clause on the Paper which proposes to place all police burghs, having a population exceeding 5,000, in the same position as burghs under the Act of 1878. I do not propose to make that a stereotyped condition, but simply to provide that when the population of any burgh reaches 5,000 it may take over its own roads and streets. We have, I think, to a certain extent afforded a justification for such a proposal by the clause which we inserted in the Scotch Local Government Act of 1889, which allows the Sheriff of a county to take a Census and determine whether a burgh, having reached a population of 5,000, shall be allowed to have the control of its own roads. Below the limit of 5,000 I think the provisions of Clause 2 may be applied, and I have a further Amendment to provide that where the population of a police burgh does not exceed 3,000, a resolution of the Commissioners to undertake the management and maintenance of the highways shall have no effect without the consent of the County Council of the county or counties within which such police burgh is situated. I throw out this suggestion, which I think may meet the general feeling of the Scotch Members better than the fixing of a hard and fast line at a population limit of 5,000.

*MR. DUFF (Banffshire): I think there can be no doubt that if this Amendment is carried it will be tanta-

mount to throwing out the Bill. According to the figures which I have before me, and which have already been quoted by my hon. Friend the Member for North Ayrshire (Mr. H. Elliot) if the limit is to be a population of 5,000, the provisions of the Bill will only be extended to eight burghs. Since 1878 there has been a considerable extension by Parliament of the principles of Local Self-Government, and I fail to see any relation between the police assessments and the maintenance of the roads. Each stands upon a different footing, and, therefore, I cannot help regarding the Amendment as something that would amount to the rejection of the Bill. But I wish to know what course the Government propose to take in regard to the measure. From what passed on the Second Reading I believe that it has their approval. The Lord Advocate supported it; all he said was that before it went through Committee the House ought to know the opinion of the County Councils in regard to it. It is now something like three months since the Bill was read a second time, and the Government have had plenty of time for obtaining the opinion of the County Councils. The Banff, Kincardine, Caithness, Wigton and Ayr, County Councils have petitioned in favour of the Bill, while several other counties support the Bill with amendments; the County Council of Perth being the only Petitioners against the Bill. I have no doubt that my right hon. and learned Friend will be guided by their opinion. As a county Member I support the Bill, and I have no doubt the majority of Scotch Members will do so also.

MR. ESSLEMONT (Aberdeen, E.): I appeal to my hon. Friend the Member for Stirling not to interfere with the compromise which has been come to in the Burgh Police Bill. If it is well to give these aggregations of population the power to manage their own affairs, I appeal to my hon. Friend whether it is worth while to boggle about the roads. In my opinion, it is not worth while to carry on a litigation in regard to the rating of gas pipes and water pipes, and other municipal matters, as between the road authority and the police authority. My hon. Friend is raising a difficulty which will make the Bill inoperative. I hope the question will be settled on broad lines, and I suggest to my hon. Friend that he would do well to withdraw the Amendment.

*MR. SOMERVELL (Ayr, &c.): I am also opposed to the Amendment, which I believe will have the effect of entirely emasculating the Bill. There are 85 burghs whose roads are managed by the counties, and when we passed the Second Reading of the Bill it was on the distinct understanding that while counties were to be treated fairly, these 85 burghs were to obtain the benefits of the Bill.

MR. JOSEPH C. BOLTON: My Amendment was nothing more than a clause in the Bill of 1888, which was a compromise between the counties and the burghs.

MR. ESSLEMONT: But there has been a great change made in the administration of the county roads since that time under the County Council.

MR. JOSEPH C. BOLTON: At that time the roads were managed by an elected Road Board, and now they are managed by the County Councils, which are also elected Boards. In effect, therefore, the roads in Scotland are under the same control now as they were in 1888. [MR. ESSLEMONT: No.] I believe there is not a burgh in Scotland that has not a representative on the County Council, and in all probability on the Road Board too.

(1.5.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): This question is purely a matter of social and administrative convenience. The competition, if there be competition, arises between a rural popular Body and an urban popular Body, and in considering the matter we must not leave out of sight the unfortunate roads which are the subject of controversy. The proper object of legislation should be to secure the efficient administration of the roads which are continuous roads—main roads passing through certain burghs, and through the counties which surround them. I must own that I do not entertain a very strong opinion on this subject; but I have looked at it fairly from the point of view of convenient administration. I

am a strong supporter of the Bill, and I think it is very desirable that something should be done in the direction proposed by the hon. Member for Ayrshire. I am bound to say I am not a supporter of the view of the hon. Member for Stirling, and cannot support his Amendment. There are one or two general questions which arise upon the Amendment, and which must be considered. Does the hon. and learned Member for Elgin (Mr. Asher) mean to say that the smallest burgh should have power of its own motion and without the consent of the County Council to assume the management of every scrap of highway which passes through that burgh?

MR. ASHER: I said, "May have the power."

MR. J. P. B. ROBERTSON: That virtually means that they shall have the power. I am not prepared to give my consent to that proposition, and I do not think it will conduce to the convenient or efficient administration of the roads. We have police burghs which at the last Census had a population of under 800. I think it is rather a strong proposition that a highway passing through a county is to be subject to the management of a great number of Bodies, some of which represent a very small population. I sympathise very much with the views expressed by the hon. Member for Argyllshire and the hon. Member for Forfarshire, who desire to discriminate between the circumstances of the burghs according to their size. The hon. Member for Stirlingshire makes a distinction as regards burghs of 5,000, and he proposes the universal condition that all burghs under 5,000 are not to have the management of their roads, even if they wish it, unless they get the consent of the County Council. I shall be prepared to support the Amendment which my hon. Friend the Member for Argyllshire proposes as regards those burghs which have a population of 5,000. The hon. Member for Argyllshire also proposes that all burghs below 5,000 should be entitled to go out on the payment of some compensation to the county. I see great fairness in that. I think that the County Council who have the management of the roads in small burghs are entitled to some say in the matter. There is a great deal to be said for the proposal that in the case of burghs between 5,000 and 3,000 the provisions of the Bill should apply as they are. The hon. Member for Stirlingshire in his Amendment proposes to fix a hard-and-fast line—that, against the wish of the County Council, which represents the enormous preponderance of the population, there should be a separate administration of a burgh of, say, under 1,000. I think 3,000 is perhaps a fair limit. It has been said that the Royal Burghs already share in the administration of these roads. There is a number of privileges which these burghs enjoy, still I do not think they constitute a reason for perpetuating an anomaly. I shall individually support the words from this point of view. I wish to do more for these boroughs with 5,000 of population than this Bill does, and I would distinguish between those with a population of 5,000 and those with a population of 3,000. It is not a matter in which I desire to express more than the opinion of an individual who has given some attention to the subject and considered all the representations which have been put forward, and it is certainly a matter which ought to be settled by the canons of good sense of the Committee.

THE CHAIRMAN: Order, order! I think it would be convenient, before continuing this discussion, to settle this Amendment.

MR. JOSEPH C. BOLTON: I shall have no objection whatever to withdraw my Amendment in favour of that of my hon. Friend, if the act of withdrawal will not exclude that Amendment. On that understanding, I ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

*COLONEL MALCOLM: I now beg to move the Amendment which stands in my name. The reasons in support of it have been clearly expressed by the Lord Advocate, and I need not take up time by going over the ground again. It will practically allow all burghs, whose population does not

exceed 5,000, to have the benefits of this Bill in their entirety. Afterwards I shall propose a slight alteration with regard to burghs under 3,000.

Amendment proposed,

In page 1, line 7, after the word "Burgh," to insert the words "the population of which does not exceed five thousand, ascertained as herein mentioned."—(*Colonel Malcolm.*)

Question proposed, "That those words be there inserted."

(1.34.) MR. J. B. BALFOUR (Clackmannan, &c.): I understand this Amendment to be introductory to those which my hon. Friend will shortly propose. As the Lord Advocate discussed not only the Amendment, but also other parts of the Bill, I desire to say a few words on the general question. I am one of those who are averse to any limit of population being introduced, because it appears to me that any limit, which must necessarily be arbitrary, will involve a departure from a sound and intelligible principle. The modern police burghs are very much the successors of the old Royal burghs; and when they are constituted they acquire a practical local autonomy, with the exception of the main roads. That necessarily implies a double administration within the burgh as regards roads. At the first blush it is an objection to have, within one territorial area, two administrations, when one would suffice. It seems to me that any risk of unfairness to the counties is amply guarded against by the provisions in the Bill, because it is not proposed to allow a burgh to assume the administration of the highways passing through it except upon terms which may be agreed upon, or, failing agreement, to be settled by the Sheriff. There is ample provision for justice being done. It is extremely difficult, by fixing a population limit, to say that there may not be considerations that would make it desirable that certain burghs should, upon fair terms, assume the administration of their own roads; and when they have the safeguard of terms being allowed, a burgh will not put itself under obligations to the county if it is better or cheaper or more advantageous to it that the main highway should remain under county administration. I do not know that there is any body which has a greater, or as great, an interest in having the main street of a burgh in good order as the inhabitants themselves, and not only is provision made for justice being done to the county on the assumption by the burgh of the care of its roads, but it is contemplated that the burgh may have something to pay on settlement of terms for the use of the highways outside. There are many burghs in Scotland, some of them county towns, which have not a population of 3,000, which are yet important places, and which have a strong desire to secure the management of their own roads, and may very well be entrusted with it. I submit the Bill is founded on a thoroughly intelligible principle, is duly safeguarded, so that there shall be no injury done to any interest external to that of the burgh, and that, practically, the good sense of all interested is the best security against the assumption of the right of administration of highways in cases where it is not for the general advantage.

(1.41.) MR. BARCLAY (Forfarshire): I have an Amendment to the same effect as that before the Committee, only I have put the limit at 4,000. After the concessions the Government have made I do not intend to move it.

MR. A. ELLIOT (Roxburgh): It strikes me that hard measure is being dealt out to the counties if the Amendment is accepted. The provisions in the Bill have been very favourably received by the greater part of the County Councils in Scotland, and now it is proposed for the first time to withdraw the burghs of 5,000 without the consent of the County Council in any way, and without terms being considered by the County Councils or the burghs themselves. I do not know how many such burghs there are.

MR. J. P. B. ROBERTSON: There are eight of them.

MR. A. ELLIOT: At any rate, it is a great change to the prejudice of the County Councils, and I protest against such a change, as I hold that notice should have been given of such an important alteration. As other matters which have been referred to by previous speakers will probably come up on sub-

sequent Amendments, I will not now take up the time of the Committee by referring to them.

(1.45.) MR. CRAWFORD (Lanark, N.E.): I think there is a good deal of justice in the observations of my hon. Friend. Undoubtedly, this point is an entirely new one. It has never before appeared in the Bill——

*MR. SOMERVELL: I rise to a point of order. Is it in order, in a discussion upon an Amendment fixing a limit of population, to discuss subsequent provisions of the Bill?

THE CHAIRMAN: As these matters are closely linked, I think it is convenient to allow the discussion.

MR. CRAWFORD: What I wish to say is that I entirely agree with my hon. Friend that this point is so new that it ought not to have been introduced without ample notice to the County Councils, so that they might have given their opinions on it. The County Councils, as a whole, have dealt with this Bill in a very generous spirit. They have not shown any desire to oppose the burghs by the management of their own roads. But I would like to point out, not only to the Mover of the Amendment, but also to the Lord Advocate this: It seems to me the proposal might produce a very serious anomaly in practice, as we might have burghs with a population of just under 5,000, which, on reaching that limit, would at once be free from the payment of contributions to the county. I think it is quite unfair to draw this sharp distinction between a burgh of 4,900 population and one of 5,000, and make one pay a heavy contribution to the county while the other will go free. For these reasons, I hope the Amendment will not be pressed.

MR. SINCLAIR (Falkirk, &c.): I desired to call attention to the same point. There are two burghs—Bridge of Allan and Crieff—both within 100 of the population of 5,000. Bridge of Allan is within 24 of that limit, and within a month or two of the passing of the Bill it might be discharged of all liability to pay the county contribution.

MR. BARCLAY: The principle of this Amendment has been already embodied in the Roads and Bridges Act, 1878, and I do not see how we can now place burghs of 5,000 population in a worse position than they occupied in that year. After all, this Amendment is merely carrying out the principle of the Act of 1878, and I see no reason against it.

(1.50.) MR. ASHER: I assent to the view that we must consider the interests of the burghs in the roads. It has been urged that if no limit of population is introduced, then the Bill will be applicable to police burghs, however small. Reference has been made, too, to the Royal burghs; but it is an undoubted fact that some of these very small Royal burghs have successfully administered their own roads, although they have a population of less than 2,000. No doubt many hon. Members are personally acquainted with some burghs in which the roads are infinitely better kept than in the county adjacent. I have not the slightest doubt it will be found that in those burghs it is much better the main street should be administered by the Local Authority and not by the county. What has been well done in the Royal burghs should be allowed in small police burghs.

MR. MUNRO FERGUSON (Leith, &c.): I do not agree with my hon. Friend as to the condition of the roads in the small Royal burghs. If he will do me the honour to accompany me to Fife, I think he will come to a very different conclusion. But whether or not the Royal burghs have the power of maintaining their own roads, it does not at all follow that, under the new system of county administration, it is desirable that the plan should be continued and extended. What is wanted is to preserve an efficient Local Authority, and that, I think, is best to be secured by placing the management of the roads in these burghs in the hands of Parish Councils acting under the County Councils. In Fife we have recently purchased some steam rolling apparatus, and if you are to restrict its use to the county district the main roads through the burghs will suffer. I think the compromise offered by the Lord Advocate is a reasonable one. Any burgh which seeks to take charge of its

own roads should come to terms with the County Council. Unfortunately, there is a disposition on the part of the inhabitants of comparatively small areas to use the roads of their neighbours without contributing to the cost of maintaining them, and, therefore, I think safeguards are required.

(1.55.) The Committee divided:—Ayes 47; Noes 71.—(Div. List, No. 260.)

Amendments made.

(2.6.) MR. BARCLAY: I beg to move to leave out the words—

"And as to the cost of maintaining the highways in the neighbourhood of such burgh."

I object to these words because they seem to me to indicate a bias against the burghs, and to amount almost to an Instruction to the Sheriff, that the burghs are to bear a part of the cost of maintaining the roads outside of their areas. I do not know of any case where there is any excessive traffic on the roads outside burghs, in the neighbourhood of the burghs, which is not due to the counties and not to the burghs; such traffic is due to the wealth of the counties, to quarrying, the cutting of timber, or mining. If a burgh has the misfortune to stand between the county and a railway station, or a port of shipment, it suffers the disadvantage of having its streets cut up by traffic from which, practically, it derives no benefit. I do not wish to make the passing of the Bill any more difficult than is necessary; but I must point out that it is proposed in the clause subsequently to give the Sheriff power to take all the circumstances of the case into account. I think the matter should be put into the hands of the Sheriff without prejudice, and with a general direction that he is to consider the whole circumstances of the case. If the words I propose to omit are retained, the Sheriff may consider them an indication that Parliament thought that in all cases burghs should pay part of the cost of maintaining the roads outside their own areas.

Amendment proposed,

In page 1, line 15, to leave out "and as to the cost of maintaining the highways in the neighbourhood of such burgh." — (*Mr. Barclay.*)

Question proposed, "That the words 'and as to the cost of maintaining the highways in the neighbourhood of such burgh' stand part of the Clause."

(2.10.) MR. H. ELLIOT: I am not very favourable to this Amendment, and for the reason that it seems to strike rather at the counties. This Bill has been considered by the counties, and to a certain extent has been approved in its present condition by the police burghs. I, therefore, do not like the proposal to omit these words. Perhaps it would be agreeable to the Committee that these words should be struck out, and that the words—

"Including the cost of maintaining the highways in the neighbourhood of such police burgh,"—

which stand in the name of the hon. and gallant Gentleman (Colonel Malcolm), should be inserted in line 20.

*COLONEL MALCOLM: I think that the words ought not to be omitted altogether. They would, in my belief, come in better after "case," in line 20, the place I have indicated in my Amendment. If they are omitted here, I will move my Amendment later on.

Question put, and negatived.

Amendments made.

(2.14.) COLONEL MALCOLM: In accordance with what I said just now, I beg to move to insert, after "case," in line 20, "including the cost of maintaining the highways in the neighbourhood of such police burgh." As it has been pointed out, this Bill has been considered both by burghs and County Councils, and it is well this provision should be made to avoid any heartburning.

Amendment proposed,

In page 1, line 20, after "case," to insert "including the cost of maintaining the highways in the neighbourhood of such police burgh."—(*Colonel Malcolm.*)

Question proposed, "That those words be there inserted."

MR. BARCLAY: I should like to hear from the Lord Advocate what, in his opinion, would be the effect of the insertion of these words on the mind of the Sheriff.

*Mr. LYELL (Orkney and Shetland): Will the right hon. and learned Gentleman explain how far the roads are to extend? is it to be a few hundred yards, or a mile, or what? The terms are very indefinite.

*Mr. LENG (Dundee): In many cases the roads within these police burghs are really of great value to the county. In the case of the burgh where I reside —that of Newport—the whole traffic of a large district of Fife converges at the ferry. One of the elements of consideration also ought to be the value of the roads within the burgh to the rest of the county.

Mr. J. P. B. ROBERTSON: I think it is better that those words should stand part of the clause. I rather think, if they do not stand part of the clause, it is doubtful whether this was a consideration which the Sheriff might ultimately have. The words merely permit the Sheriff to have regard to these things; they do not prejudge the question. The hon. Member for Forfarshire asks me to express an opinion on a statement of facts which are entirely specific and local. I am afraid I cannot do so.

Mr. BARCLAY: On the assurance of the right hon. and learned Gentleman that the insertion of these words will not prejudge the question, I shall not press my objection.

Question put, and agreed to.

Amendments made.

Clause, as amended, agreed to.

Clause 3 amended, and agreed to.

Clause 4.

Amendments made.

(2.20.) Amendment proposed,

In page 2, line 24, leave out all after "burgh," to "same," inclusive, in line 29, and insert "means a popular place the boundaries whereof have been fixed and ascertained under the provisions of 'The General Police and Improvement (Scotland) Act, 1862,' or of the Act first therein recited, or have been determined by or under any local Act."—(*Mr. Hugh Elliot.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and negatived.

Question proposed, "That those words be there inserted."

Mr. ASHER: I have an Amendment to move to the Amendment. The clause as it stands defines police burgh as a populous place, the boundaries of which have been fixed under the Act of 1862 or under a local Act. There are some police burghs, however, the boundaries of which have been fixed by charter. I myself represent a police burgh the boundaries of which were so fixed. I move that the words "charter or" be inserted.

Amendment proposed to the proposed Amendment, in line 5, after the word "under," to insert the words "charter or."—(*Mr. Asher.*)

Question proposed, "That those words be there inserted in the proposed Amendment."

Mr. J. P. B. ROBERTSON: I really want some information on the subject. Perhaps the right hon. Gentleman will communicate with me before the Report stage, and if I am not then satisfied with the Amendment it may be omitted.

Question put, and agreed to.

Amendment, as amended, agreed to.

Further Amendments agreed to.

(2.26.) Mr. A. ELLIOT: I beg to move the following clause:—

"In the event of the Commissioners of any police burgh not resolving to undertake the management and maintenance of highways as aforesaid within the police burgh, it shall be lawful for such Commissioners to claim annually from the County Council of the county within which such police burgh is situated a fair and reasonable contribution towards the expense of managing and maintaining such streets and roads within the police burgh as are maintained by the said Commissioners; and it shall be lawful for the said County Council, if in its opinion the said claim is a reasonable one, to agree with the said Commissioners as to the amount of the said contribution, and to pay the amount so agreed upon to the Commissioners out of the rate levied for the management and maintenance of highways within the division or district or parish (as the case may be) in which the said police burgh is situated."

The object of the proposal is to enable an old practice to be reverted to. It will enable a County Council to give a contribution to the Police Commissioners of a burgh, which does not wish to be

constituted a separate Local Authority, to assist them in the maintenance and management of their streets. In the police burgh of Kelso the position of things is such that it is probable the Police Commissioners will not care to make use of this Bill, because there are there certain important bridges, and they will be very much afraid, in case of anything happening to those bridges, that they will be saddled with the whole cost of maintaining them. Up to 1878 it was every year agreed between the county and the burgh that so much should be paid to the latter by the former in respect of the streets. Doubts arose as to whether the practice was thoroughly in accordance with the law, and counsel agreed that such payments could not be continued any longer. The clause I now propose is purely permissive, and cannot damnify the county in any way.

New Clause (Agreement between Police Commissioners and County Council,)—(*Mr. A. Elliot,*)—brought up, and read the first time.

Question proposed, "That the Clause be now read a second time."

(2.29.) MR. J. P. B. ROBERTSON: I see that there are cases in which an arrangement of this kind would be convenient enough. The Committee has, however, hitherto been dealing with highways, and it has been decided that all police burghs have a right to assume the management of highways. But this clause proposes that the county, which has nothing to do with the streets of burghs, should be entitled to grant what is nothing more or less than a subsidy to a burgh in respect of the streets. The House will bear in mind that under the Act of Parliament the powers relating to these matters are vested not with the County Councils, but with the Police Commissioners. This clause, however, now proposes to deal, not with highways generally, but with roads within the burghs, and that the County Council, which has nothing to do with the burgh streets, should be entitled out of pure good nature to grant what would be neither more nor less than a subsidy to the burghs. If my hon. Friend will allow me to say so, this seems to be a very strong proposal to be brought forward at so short a notice, a point with regard to which my hon. and learned Friend has complained with respect to other clauses.

*MR. DUFF: I would suggest to my hon. Friend that he should agree to leave out of the clause the word "streets," and insert the words "roads and bridges."

MR. A. ELLIOT: The question of bridges is only of importance in affecting the willingness of these burghs to come in or keep out of the Statute. It is purely an enabling clause, and I cannot find that any substantial objection has been taken to it. I must press it upon the Committee.

*MR. SOMERVELL: I must oppose this clause, which I think will have the effect of inducing burghs not to adopt the Bill. It is said to be hard that the burghs should have to keep up main bridges in the county, and with that I quite agree. But this clause does not remedy that grievance.

MR. A. ELLIOT: It seems to me that the hon. Member does not understand the object of this clause, which is not to enable the County Authority to give money to the Police Commissioners to keep up their bridges. It merely enables the Police Commissioners to come in or to stay out from the operation of the Act in certain cases. Where the two parties find a certain course extremely convenient and the representatives of the county outside deem it just that they should pay a certain sum for the purpose, not only of bridges, but also of maintaining the streets of the burgh, what argument in the name of common sense can be urged against their doing so? Until some such argument is found, I think I have the advantage of the discussion on my side. I must, therefore, insist on pressing this clause, which is a perfectly innocuous one, and which, while it may do much good, can by no possibility do any harm.

(2.38.) MR. ASHER: No doubt it is correct, as stated by the learned Lord Advocate, that the notice of intention to introduce this clause was only given this morning; but, at the same time, I think the clause is one

that can do no harm, while it seems to me to be likely to do much good. If I thought it would operate to the prejudice of the counties I should not support it, and I cannot but think that the meaning and effect of the clause has been somewhat misunderstood. The clause, as I understand it, provides that in the event of a police burgh not wishing to exercise the powers given to it by the Act, the Commissioners may claim a reasonable contribution from the County Council in whose district the burgh is situate towards the maintenance of its streets and roads. There may be cases where the assessment of the burgh to county rates is very large, and that, no doubt, will form an element of consideration in determining whether the Police Commissioners shall adopt this Act. I understand my hon. Friend the Member for Roxburgh to propose this clause as an alternative arrangement. Where a Burgh Authority thinks it pays in excess of what it should pay, this clause will enable the burgh and county to come together and effect an arrangement. The clause seems to me to be of a purely permissive character; at any rate, it imposes no obligation on the burghs, and can by no possibility do any harm. If my hon. Friend presses the clause to a Division, I do not see how I can refrain from supporting it.

MR. THORBURN (Peebles and Selkirk): I hope the hon. Member for Roxburgh will press his clause to a Division. He has referred to the county he represents as an illustration of the manner in which the clause will operate. The hon. and learned Member for the Elgin Burghs has already referred to the permissive nature of the clause, and it is therefore unnecessary that I should enlarge on that subject. I believe I am correct in saying that the County Council of Roxburgh are perfectly willing to contribute towards the maintenance of the streets of Kelso if permitted to do so under this Act. For my part, I cannot see any objection to this clause, and I trust that, even now, the Lord Advocate may see his way to its acceptance.

MR. J. P B. ROBERTSON: The initiative in this matter is not with me, but with my hon. Friend who is in charge of the Bill. The point is, whether Parliament will sanction County Councils using the ratepayers' money for the purpose of extraneous burghs. I have already pointed out the serious character of the precedent it is now proposed to establish; but as I understand that the hon. Member in charge of the Bill is willing to assent to this Amendment, and as he is supported by a number of Scotch County Members, I do not propose, as far as I am concerned, to carry further my opposition to the hon. Member's clause.

Question put, and agreed to.

Clause added.

Bill reported; as amended, to be considered upon Wednesday next, and to be printed. [Bill 350.]

LOCAL AUTHORITIES (SCOTLAND) LOANS BILL.—(No. 57.)

(3.0.) Considered in Committee, and reported; as amended, to be considered upon Wednesday next, and to be printed. [Bill 351.]

RATING OF MACHINERY (No. 2) BILL. (No. 18.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

*(3.25.) MR. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to move, Mr. Courtney, that you do report Progress, and ask leave to sit again. I do so for the reason that there has been no Second Reading Debate on the Bill. The Bill came on for Second Reading most unexpectedly, and was rushed through at 9 o'clock with no Debate whatever. The hon. Member who intended to oppose the Bill, and who had a notice of opposition on the Paper, was unfortunately absent when the Second Reading was reached; and, more than that, it was not altogether his fault, because just two minutes before the Bill was reached the measure standing immediately before it on the Paper was taken off without notice. We are now in this position: that we are asked to go into Committee on a Bill of a most

technical character—a Bill which changes the character of the law with regard to the rating of machinery——

*MR. WINTERBOTHAM (Gloucester, Cirencester): No, no.

*MR. STANLEY LEIGHTON: Yes; we are asked to go into Committee on a Bill which changes this law in favour of rich manufacturers, and throws a heavy burden on the poorer classes of ratepayers, without having had a Second Reading Debate.

MR. TOMLINSON (Preston): I rise to order. I wish to ask, Mr. Courtney, whether the hon. Member is entitled to discuss the principle of the Bill on a Motion to report Progress?

THE CHAIRMAN: The hon. Member is not entitled to discuss the Bill, but he is allowed to give reasons of a general kind in support of his Motion.

*MR. STANLEY LEIGHTON: My object is to show the importance of this Bill, and to try and induce the Committee not to proceed with it without having a Second Reading Debate. The Bill would place very large charges on the poorer class of the community. It would alter the law, and there is at the present moment an appeal pending in the House of Lords on the very question to be decided by the measure. The Bill would have the very largest consequences in regard to all ratepayers, and is promoted in the interests of certain rich manufacturers.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Stanley Leighton.*)

*(3.28.) MR. WINTERBOTHAM: I think, when the hon. Member understands the number of misstatements into which he has no doubt unintentionally fallen, he will not feel inclined to persist in his Motion. There is no appeal on this question before the House of Lords, the case having been compromised because the manufacturers concerned could not carry expensive litigation further, and prefer to rely on this House for justice. The question has been for a long time before Parliament. The Second Reading of the Bill was carried last year by 237 votes against 89. The hon. Gentleman complained that there was no Debate on the Second Reading. That was not our fault. Some 70 Members came down to support the Second Reading, but there were no opponents. The Bill is supported on both sides of the House, and is much required both by traders and manufacturers. It does not alter the law, but only interprets it as it has always been understood in Scotland and Ireland, and in the manufacturing districts of England up to a recent decision in the Chard case.

*(3.30.) SIR E. BIRKBECK (Norfolk, E.): I shall certainly support the Motion to report Progress. This matter was debated yesterday at the Central Chamber of Agriculture, and a Resolution in opposition to the Bill was carried, with only one dissentient. That dissentient was a retired manufacturer, an interested party, although an agriculturalist. So far as the agricultural community are concerned, they are unanimous in condemning this proposal, and I hope that, although the agricultural party are taken by surprise, this Bill coming on unexpectedly at this hour, I hope that every means will be taken to delay the passing of the measure this afternoon. It is a very serious matter to the agricultural interest. The Local Taxation Committee have had the matter before them, and it has been condemned on every occasion when it has been considered. I will only ask my hon. Friend in charge of the Bill, as he was present at the Central Chamber of Agriculture yesterday, to confirm me when I say that there was a very strong feeling expressed by Members present in condemnation of this proposal. An hon. Member has just said that if opponents of the Bill were not present when the Second Reading was taken that was their own fault. But on that day—the 7th of April I believe it was—it was well-known that a Motion was down for discussion at the Evening Sitting, and this being unexpectedly withdrawn, the Bill was called and the Second Reading disposed of in a few minutes without Debate. The opponents of the Bill were not aware of any intention to withdraw the Motion standing first, and I must say that it appeared to me to be a case of

jockeying. However that may be, it is an absolute fact that the Motion was unexpectedly withdrawn, and none of the opponents of the Bill were present to raise a Debate on the Second Reading of the Bill.

(3.33.) SIR H. JAMES (Bury, Lancashire): The hon. Baronet says he hopes that every step will be taken to delay the Bill, but I presume he means every fair step in accordance with the usual practice and Rules of the House. The objection made to proceeding with Committee now, by the hon. Gentleman who has made this Motion, is that there was no Second Reading Debate; but suppose we do now report Progress, when are we to have a Second Reading Debate?

MR. STANLEY LEIGHTON: Next Session.

SIR H. JAMES: Then the intention is to prevent the Bill proceeding at all this Session?

MR. CUNINGHAME GRAHAM (Lanark, N.W.): Quite so.

SIR H. JAMES: Then because the opponents did not attend when the Bill was called for Second Reading they claim all the advantage of a victory on a Division, though they did not even raise a Debate on that evening. It is an extraordinary demand that a Bill should be thrown out because no opposition was raised to the Second Reading. The Bill has been read a second time, and its object is not to alter the law, but simply to declare it. An hon. Member opposite has notice of an Amendment to retain the law in the condition it was always believed to be until within the last 12 months, and if, instead of taking this course, the hon. Gentleman supports that Amendment, he will assist the Committee towards arriving at a decision in accordance with his view of what the law is. If we agree to this Motion, we show that we are not in a position to assist those whose duty it is to administer the law, and who ask us to declare what the law is.

(3.35.) SIR W. HOULDSWORTH (Manchester, N.E.): It has been said that this is a Bill promoted by rich manufacturers, but the fact is, it is a Bill which is heartily supported by Assessment Committees in the North of England, and I believe in many other parts of England. Assessment Committees are in the difficulty of not knowing what their duty is. They feel that day by day they are neglecting their duty; but the law is not so clear as to enable them to perform their functions without exposing themselves to the dangers of litigation. It is a measure urgently required, not by rich manufacturers, but by Assessment Committees, and I trust the Committee may be allowed to proceed.

MR. JOICEY (Durham, Chester-le-Street): I shall support the Motion for reporting Progress, and I can bear out what has been said as to the means by which the Second Reading of this Bill was obtained. It was well known that a large number of Members were opposed to the principle of the Bill. We expected that the Motion standing as the first business would be moved in the usual course, but the hon. Member in charge of that Motion was induced to withdraw it, and because, I believe, it was found that there were no opponents of this measure present at 9 o'clock. I came down to the House at 10 minutes past 9 and met many hon. Members leaving, who recounted with glee how cleverly we who opposed the Bill had been "done" in the matter. I maintain that an unfair advantage was taken of a large proportion of hon. Members who were known to be opposed to the principle of the Bill, and seeing that there has been no Second Reading Debate I object to proceeding now in Committee. The right hon. Gentleman the Member for Bury has stated that the Bill will make no change in the law, and I am not prepared to debate that point with a Gentleman of his legal experience, but as a simple layman I have always understood the law is what the Courts construe it to be. What have the Courts construed the law to be?

THE CHAIRMAN: Order, order!

MR. JOICEY: I only wished, Sir, to answer a remark made by the right hon. Gentleman the Member for Bury, but if you rule that my doing so will not be in order, I will not pursue it. But I confess I cannot see why the hon. Gentleman in charge of this Bill should come to the

House to have the law defined, when we have the Courts, whose function it is to do that. I am strongly opposed to the principle of the Bill. The position as I understand it is this: A decision has been given, evidently not to the minds of a certain number of manufacturers in England. Now, I speak as a colliery owner, and I believe I have always been rated on my machinery, and I do not wish for any change.

An hon. MEMBER: Collieries are exempted.

MR. JOICEY: That shows the disadvantage of not having a Second Reading Debate. Upon the principle of the Bill, however, I am tongue-tied now, and I shall support the Motion for reporting Progress.

(3.40.) MR. CUNINGHAME GRAHAM: I support the Motion for reporting Progress. I have no great belief in Amendments moved in Committee, and have faith in the adage, "A bird in the hand is worth two in the bush." I do not know whether it is competent for me to state the reasons why I support the Motion, but it seems to me that what has been stated by those who have spoken in support of the Bill must be at variance with the facts. It seems to me self-evident that if manufacturers expect relief from this Bill, then that relief must come from someone else, and that someone is the poor ratepayer, more especially in the agricultural districts precisely that class least able to bear the onus of additional taxation. I was glad to hear the remarks of the hon. Member for Chester-le-Street (Mr. Joicey). It may be taken as an axiom that we must not expect much assistance in democratic measures from large employers and manufacturers.

MR. KELLY (Camberwell, N.): Though I am opposed to the principle of the Bill I would appeal to the hon. Member to withdraw his Motion. The contention is that there has been no Second Reading Debate, but let me point out that practically the Bill consists of one clause, and upon the discussion of this clause there must be what is tantamount to a Second Reading Debate. Without trenching now on a question of order I may say in reference to the remarks of the right hon. Gentleman the Member for Bury that I have an Amendment, the object of which is to declare what the law was believed to be 12 months ago, and if the desire of those who advocate the Bill is to declare the law and lay it down in express terms I think they may accept this Amendment, and the discussion in Committee need not occupy much time. Meantime, I appeal to the hon. Member for Oswestry not to proceed with his Motion.

*(3.43.) MR. G. OSBORNE MORGAN (Denbighshire, E.): I am not going to enter into the merits of the Bill except to state my opinion that it does but declare the law. But whatever opinion there may be upon this, it is certainly a poor excuse to attempt to throw out the Bill now, by a side wind of this kind, merely because the opponents of the Bill did not think it worth while to attend in their places when the Bill was down for Second Reading. If that is to be a ground for throwing out a Bill on the Committee stage it will be impossible to carry on Parliamentary business at all. Another answer to the hon. Gentleman who has made this Motion has just been given. The hon. and learned Member opposite has said with perfect truth that the Bill consists of one clause practically, and so, to all intents and purposes the discussion of that clause will afford ground for a Second Reading Debate.

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I sincerely hope we may be allowed to proceed with the Bill in Committee, but at the same time I cannot concur in the view of my right hon. Friend that no alteration of the law is made by the Bill. The opinion I have expressed on several occasions is that the law has been unequally administered, and it is most desirable that the law should be declared. In that I am at one with my right hon. Friend, but I cannot allow the dictum that there is no alteration in the law to pass unchallenged——

SIR H. JAMES: As generally understood.

SIR R. WEBSTER: I know that in many counties the law has been ad-

ministered in the way it is now proposed to declare it, but I do not want to enter into debate now. My position is that it is an alteration in the law, but it is desirable that the law should be declared, and so I hope the Bill will be proceeded with.

(3.45.) MR. GOURLEY (Sunderland): My view is that the Bill certainly does alter the law, creating certain exemptions from the payment of rates, and that it is promoted by manufacturers for the protection of manufacturers and against the interest of ratepayers generally. I shall support the Motion for reporting Progress

(3.48.) The Committee divided:—Ayes 27; Noes 166.—(Div. List, No. 261.)

(3.58.) MR. KELLY: In the absence of the hon. Member for Gateshead (Mr. W. James) I beg to move the Amendment standing in his name. It will be seen that in view of the great change in the law the Bill proposes it should not come into operation the moment it passes. I therefore suggest that the operation of the Bill should date from January the 1st next. Practically it would come into force with the new assessments in April.

Amendment proposed, in page 1, line 10, after "from and after," to leave out "passing of this Act," and insert "first January one thousand eight hundred and ninety-two."—(*Mr. Kelly.*)

SIR R. WEBSTER: There is no fixed date for a new assessment, the assessors can make up the valuation list when and as they please. The poor rates are made at unequal periods, and I do not think the date in the Bill makes any difference.

Amendment negatived.

(4.0.) MR. KELLY: I have now to move the Amendment to Clause 1 which stands first in my name. Its object is to make the Bill really declaratory of the law. The right hon. Gentleman the Member for Bury said that the object of those who were responsible for the Bill was to make the law certain, and secure that it was uniformly administered. Those who have any knowledge of the rating of machinery must admit that there is anything but uniformity in the matter. In London, for instance, there are two Unions adjoining: In one the machinery is rated, and in the other it is not. Then, again, the methods of assessing it vary considerably. One Union assesses it at so much per horse power. One might just as well assess on the basis of the height of a stack of chimneys. It is exceedingly unfortunate that this Bill should have been introduced by a private Member. Considering the importance of the question it ought to have been introduced by a Member of the Government.

THE CHAIRMAN: Order, order! The hon. Member cannot go into that. The Committee is now discussing a specific Amendment.

MR. KELLY: So far as I can see, the Amendment will do nothing but declare the law as it exists. Different constructions have been placed upon the law, the real meaning of which consequently depends on a series of judgments delivered in the Courts upon the rating of machinery. Now, the object of the clause is to exclude manufacturing machinery from rating. I would alter it in such a way as to make all machinery attached to a hereditament rateable as enhancing its value, so long as the premises are devoted and applied to any trade, business, or manufacturing purposes. The advocates of the Bill, as far as I understand, represent only wealthy manufacturers, and I fail to see how, if the Bill passes in its present shape, anyone except the owners of expensive machinery for textile manufactures will get any advantage from it. The small owners of machinery will get no advantage. This Bill, instead of being a Rating of Machinery Bill, is really a Bill for the exemption of machinery from rating. There are few trades outside the textile trade in which machinery is merely fixed to the ground for the purpose of steadiness, and, therefore, we are justified in saying that this Bill is almost exclusively promoted in the interests of the large manufacturers of Yorkshire and Lancashire. If the Amendment is passed, unquestionably a good deal of machinery will be rated which is not now liable to be so. I know of

no good reason why it should not be so rated. Do those who are in favour of the exemption of machinery from rating propose that all personal property of every class shall also be exempted? It seems to me desirable that every species of property should contribute its fair quota towards the relief of local burdens. If hon. Members hold that all classes of the community should contribute to local burdens, surely it is very unfair to exempt the most valuable description of property. One argument in favour of the clause as it stands is that some such amendment of the law is necessary in the interest of trade, otherwise trade will be driven from the country. But trade has not been driven away from Gateshead, where machinery is rated. Why, then, should it be driven from Lancashire if machinery is rated there? I ask hon. Members to show where trade has suffered from the taxing of machinery, to quote a single example of the terrible effect they anticipate from the rating of machinery, to name any district where trade has suffered vital injury from it. There is an argument which might well be advanced by the hon. Member for North-West Lanark in support of the Amendment. Machinery unquestionably takes the place of labour, and is used by manufacturers for that purpose, and for cheapening the production of goods and increasing the manufacturers' profits. Those who think it is not desirable to drive away the strongest and best of our artisans may have a good deal to say against exempting from its proper and natural burden the most labour-destroying and most valuable of all classes of machinery. There is an alteration proposed in the Bill with regard to the rating of motive power, and I see no need for it. Probably we shall hear a good deal of the Chard case, but the number of factories affected by the decision in that case is not very large. I invite the right hon. Gentleman the Member for Bury to point out anything in my Amendment which does more than declare the law. No doubt the advocates of this Bill are perfectly sincere when they say it is a declaratory Bill; but if we are to declare what the law is we ought to see that the law is uniformly administered. Why is the burden to be taken off the shoulders of the wealthy manufacturers of Lancashire and Yorkshire and allowed to remain the same so far as the small manufacturers are concerned? I ask the right hon. and learned Member for Bury to consider well this Amendment, the object of which is to carry out the law as laid down in the Higher Courts.

Amendment proposed,

In page 1, line 13, to leave out from the word "purposes," to the end of the Clause, in order to insert the words "all machinery which is placed thereon for the purpose of making such hereditament complete and fit for the particular purpose for which it is used, shall be taken into consideration as enhancing such gross estimated rental or rateable value,"—(*Mr. Kelly,*)

—instead thereof.

Question proposed, "That the words 'any increased value arising from machinery' stand part of the Clause."

*(4.15.) MR. H. S. WRIGHT (Nottingham, S.): The effect of this Amendment would be to quadruple the rating on movable machinery. Let the Committee bear in mind that this machinery may be in one place one week and in another the next week: that one week it may be worth £500, and the next week owing to the change of fashion, or some new invention, worth scarcely £100. We cannot possibly accept the Amendment, which would destroy the object of the Bill. We do not wish to relieve any of the wealthy manufacturers, who are pretty well relieved by foreign competition already, and who have more than enough to do to pay the week wages and keep their factories going. The promoters of the Bill appeal to the Committee on behalf of the wage-earning population not to allow machinery to be assessed in the way proposed by the Amendment, which would have the effect of driving away a large proportion of our trade.

MR. CUNINGHAME GRAHAM: Hon. Members opposite have delivered themselves of generalities. I want to have a clearer understanding of what it is that is contemplated by the Bill. If the non-rating of machinery is to be a relief to manufacturers, what is not paid by them must be paid by somebody else. By ceasing to rate

machinery there will be a loss of Revenue. How is that to be made up? If relief is to be afforded, where is the burden to fall?

MR. TOMLINSON: The Bill proposes to put the law in England on precisely the same footing as in Scotland, and it will better enable us to compete with foreigners.

SIR H. JAMES: I desire to recall the Committee to the Amendment, which, if carried, will unsettle everything that is now settled. If the Assessment Committees attempt to carry out the Amendment they will relieve from rating many things which ought to be rated. The Amendment is really unworkable; but possibly something might be done to meet the views of the Mover by amendments of the clause.

(4.20.) MR. C. GRAHAM: In reply to the hon. Member for Preston, I may say that time after time I have had brought before me the objections of working-men to the law as it is settled in Scotland, because it operates with great injustice to the working classes and the poorer ratepayers. I wish emphatically to place on record my protest that these pseudo professions of a sympathy with and desire to do something for the working classes have become absolutely sickening.

MR. GOURLEY: I feel bound to support the Amendment. Unless it is carried there will be no limit to the exemptions, and manufacturers after placing a boiler on a bedding of brick will claim exemption from the Assessment Committee.

*MR. STANLEY LEIGHTON: This Amendment goes to the root of the whole Bill. The right hon. and learned Gentleman the Member for Bury has only dealt in generalities, and has not descended to details such as those on which the Amendment rests. There may be two smiths' shops of equal rateable value to begin with—say £50. Now, suppose machinery to the value of £10,000 is put into the one, while the other is worked by manual labour alone. The output of the former would be as 20 to 1 as compared with the latter. Yet, according to this Bill, the engine only of the shop in which the machinery was placed would be rateable. That is to say, about £50 rateable value would be added. So that although the output of the one would be 20 times greater than the other, the rateable value would be only twice as much. The difference, of course, will have to be made up by mechanics and other persons who are rated in the neighbourhood, while £9,000 worth of machinery, which is earning the owner a large sum, will go scot-free. The Bill is a Bill for the protection of manufacturers, to exempt them from paying what they ought to pay; and I therefore support the Amendment, which will put the question of rating on a proper basis. I am astonished that hon. Members who represent popular constituencies should venture to propose to relieve rich persons from rates which by law they are now called upon to pay, and to throw the burden on the poorer classes.

(4.26.) MR. KELLY: The hon. Member for South Nottingham spoke of the value of machinery falling in a week from £500 to £100. Does he wish us to infer that that was the common fate of valuable machinery?

*MR. H. S. WRIGHT: I said it might occur through a change of fashion, or through the introduction of a new pattern.

MR. KELLY: I know there have been cases in which the value of machinery has suddenly fallen; but the life of ordinary machinery is from 20 to 25 years. A Nasmyth hammer cannot lose its value by any change in patterns, and certainly lives more than four or five years. I know some machinery which has been working for a quarter of a century, and is still being employed. It is unfortunate that the form of the Bill has not encouraged any Member to put down an Amendment fixing a rate at which machinery shall be valued. Perhaps the right hon. Gentleman the Member for Bury will allow me to read a few extracts from two important Judgments delivered on this question. In the case of "Laing *v.* The Overseers of Bishopwearmouth," the late Lord Chief Justice Cockburn laid it down that it was only reasonable that where a freehold was rendered more valuable by the introduction of machinery the owner

should pay upon the increased value. Perhaps I had better quote a passage from the Judgment. Lord Chief Justice Cockburn said—

"It appears to us, after having carefully considered the character of the machinery in question, that the whole of it, though some of it may be capable of being removed without injury to itself or to the freehold, is essentially necessary to the shipbuilding business to which the appellant's premises are devoted, and must be taken to be intended to remain permanently attached to them so long as those premises are applied to their present purpose."

That is the opinion of a Judge who was noted for his learning, and to whose opinion, I am sure, the right hon. and learned Gentleman the Member for Bury will attach some weight. Then Lord Esher, the Master of the Rolls, in the case of "The Tyne Boiler Works Co. *v.* The Overseers of Longbenton," said—

"I believe the rule really to be that things, which are on the premises to be rated, and which are there for the purpose of making, and which make the premises fit as premises for the particular purpose for which they are used, are to be taken into account in ascertaining the rateable value of such premises. Of course, it is not all things on the premises, or that are used on the premises, which are to be taken into account; but things which are there for the purpose of making and which do make them fit as premises for the particular purposes for which they are used."

Lord Justice Lindley and Lord Justice Lopes agreed in that Judgment. Lord Justice Lopes said—

"It is clear that personal property such as machinery is *per se* not rateable, but, if attached so as to be either a landlord's fixture or a tenant's fixture, it is equally clear that it is rateable as increasing the value of the premises, and the rent which a tenant from year to year would give for them. But then there are things which, though they may not be physically attached, or may be removable without damage to themselves or the freehold, are so placed on the premises, and so essential to their use for the purpose for which they are used, and so much intended to be used with them for that purpose, that they have practically become, for the time being, part of the premises. The question is whether such things are to be taken into account in estimating the rateable value of the premises. I am of opinion that they must be so taken into account."

Only one word as to the effect that this Bill will have where machinery is rated. There are towns—I will mention one in particular, Gateshead—in which, if this Bill passes and machinery is relieved from the liability to rating, the rates will go up 4d. in the £1 at once. When hon. Gentlemen laugh at the idea of the artisans paying the rates, I remind them that there are other people besides artisans who deserve to be protected against unnecessary burdens in the shape of local taxation—there are small tradespeople and others who will suffer.

(4.33.) MR. WINTERBOTHAM: I want to make clear to the Committee the fallacy two or three Members seem to cherish, and that is that the Bill is brought forward in the interest of rich manufacturers. If that had been so I, for one, would have had nothing to do with it. It is no exaggeration to say that in nine-tenths of the manufacturing districts of the United Kingdom, machinery, under the existing law, is not rated, and never has been rated; therefore it is not at all a question of taking the rates off rich manufacturers and putting them on others. Those who speak for the working classes surely must remember that the wages which are earned by the use of machinery are divided between the capitalist and the labourer (I admit sometimes to an unequal extent) and anything which takes away from the earnings of machinery, or prevents its use, must affect the earnings of labour. No less than 25,000 working men have petitioned in favour of the Bill. Where is a single working men's Petition against it? The words of the decision in a certain well-known case refer just as well to the furniture of an hotel as to the fittings of a mill, as much to the harrows and ploughs of the farmer as to the tools of the manufacturer, and if we are going to refuse the act of justice that is now asked for we cannot stop here — we must rate all personalty and all chattels of every kind.

(4.37.) MR. JOICEY: The hon. Gentleman says this is not a Bill in the interest of rich manufacturers. I did not hear in his speech any proof that that is a correct statement. I cannot see how if machinery is left untaxed in a locality in which it formerly was subject to taxation—["No"]—I am speaking of what I know, and in the district I refer to machinery was always taxed. What my hon. Friend alludes to is that light machinery which is used in

large mills in Lancashire and Gloucestershire. That has been exempt from taxation. I cannot see why machinery with immense productive power if small instead of large should be exempt when those whose trade requires them to use large machinery are taxed. I knew a case on the Tyne in which an application was made to some Corporation to support the Bill. They said they would not, for it would mean that increased taxes would have to be put on the ordinary householder to the extent of 6d. or 7d. in the £1. It is no use saying it is not a question of taxing the rich manufacturer, because I contend that every penny that is taken off the rich manufacturer in the way of taxation must be placed on the ordinary householders. They are the workmen of the manufacturer, and the taxes must necessarily fall on their shoulders if taken from the shoulders of their employers. If, as the hon. Member says, nine-tenths of the machinery of the United Kingdom is not taxed, that does not say much for the assessors. Instead of being thankful that they have been exempt so long, the manufacturers are now trying to get exemption altogether. I support the Amendment, because it defines the matter and brings the arrangements more into harmony with the existing law.

*(4.40.) MR. MORTON (Peterborough): I desire to support the Amendment, which I understand will make the law very much as the custom is at present, that is to say, that fixed machinery is assessable. ["No!"] I know that in London all machinery is not taxed. We are told by the hon. Gentleman the Member for Gloucestershire (Mr. Winterbotham) that there are no Petitions against the Bill. Last year my constituents petitioned against the Bill, and my constituency is very largely composed of working men. The only argument in favour of the Bill is that it will enable the manufacturers to compete better with other countries. That cannot be an argument in favour of relieving them of the rates. It might be an argument in favour of relieving them of charges and taxes of all sorts, but it is no argument in favour of asking other ratepayers to pay the rates that these manufacturers now pay, or that they ought to pay. Machinery is exactly in the same position as regards rating as a counter or other fittings of a shop which are assessable. I think manufacturers already get as much relief from taxation as they ought. They now get on allowance of one-third, whereas other property only gets one-sixth off the gross value. Thus these rates are already reduced by one-fifth. We should only be doing the proper thing in the interest of the general ratepayers if we insist upon this Amendment.

THE EARL OF CAVAN (Somerset, S.): As Chard happens to be in my constituency, I hope I need not apologise to the Committee for saying one or two words in regard to this Bill. I have myself presented several Petitions from hundreds of working men in favour of the Bill. It was well known in my constituency that the Petitions were being signed, and I made several speeches in which I referred to the Bill, so that any who were opposed to it could have taken action. I have not presented a single Petition against the measure.

*(4.45.) MR. T. H. BOLTON (St. Pancras, N.): It is clear that in some parts of the country machinery is almost directly rated, while in other parts it is not rated at all, and in some parts the Rating Authorities have taken into consideration the value it has added to the premises. It may be desirable that the law should be defined clearly. But the Bill does not do that in any comprehensive or satisfactory way. It proposes that machinery shall be exempted from rating, and that the rating authority shall not take machinery into account in assessing any increased value given by that machinery to the rateable premises. It is, therefore, a measure to exempt certain property which is now rateable, or which has to be taken into account for the purpose of rating. We have heard a good deal from Representatives of Lancashire and Yorkshire constituencies as to the necessity of this Bill in the interest of the working classes. I am sorry that they should use that sort of clap-trap argument. To suppose for a moment that a manufacturer will give any more wages to his workmen because he gets some of his

property relieved from rates is sheer nonsense. In truth, he will give his workmen neither more nor less than he can get their labour for. But the matter assumes an entirely different complexion, and must certainly be considered in a different light when workmen come to understand that the relief the manufacturer asks for is at their expense, that the rates he saves by the exemption of his machinery from rating will fall directly upon their shoulders, that the rating authorities will be compelled to levy a higher rate upon ratepayers generally. The rates are levied for necessary purposes, and the rates must be paid by somebody. They have to be apportioned, and if, in the course of the apportionment one class is relieved then, to that extent, another class must have its burden increased; and to suppose that workmen who in some towns will have to pay 1d. or 2d. in the £1 more for rates will get compensation by increased wages, because their employer will be better enabled to carry on his business with a reduced burden of rates, is complete nonsense. If workmen have any idea that they are going to get any benefit they are vastly mistaken. The relief will go directly into the manufacturer's pocket at the expense of the general ratepaying community. I am not prepared to vote for a Bill of this kind. We have heard a great deal about landlords putting their hands into the public pocket to be relieved from their share of rates, but if a landlord were to come here and ask to have a portion of his rateable property relieved from liability to rates, why, language would be inadequate to enable some hon. Members to sufficiently denounce such a proposition. But here the law has declared that certain rateable manufacturing premises ought to bear an increased rate, because they have an increased value attached to them, and the occupier asks to be relieved from this increase. Sir, the proper designation of this Bill is a "Manufacturer's Relief Bill," and if this is thoroughly understood in the country, I believe there will be no lack of Petitions from the working classes against the Bill. I am quite sure that rating authorities throughout England generally would be opposed to any such exemptions as the promoters of this Bill desire to attain. I except such rating authorities as happen to be controlled by manufacturers who are influential ratepayers. I can quite understand such exceptional cases, and I am only surprised that more Petitions have not come in in favour of this Bill originating in such influences. The truth is rating authorities have not fully realised the practical effect of the Bill. The right hon. Gentleman the Member for Bury (Sir H. James) referring to the Amendment, has said it would be mischievous inasmuch as it would lead to the exemption of considerable property now rateable, and he mentioned vats in brewhouses. Now I must confess, although I have the greatest possible respect for the right hon. and learned Gentleman's opinion, and pay the greatest deference to anything he says, that I fail to see how the Amendment would relieve vats in breweries from liability to rating if they were fixed to the premises, and were considered to be rateable. The right hon. and learned Gentleman has referred to some Amendment that might be made in the Bill, but I do not see any further Amendments on the Paper which would make the Bill more satisfactory. No man is more competent than the right hon. Gentleman to put the Bill into an improved shape, and certainly it needs a good deal of improvement. If he would put some Amendments on the Paper for the purpose, I am sure we should all be deeply indebted to him. I am obliged to you, Sir, for allowing me to travel slightly beyond the immediate scope of the Amendment, but inasmuch as there has been no Second Reading Debate on the Bill this Session a little discussion of this general kind is very desirable. I shall vote for the Amendment because it declares the law substantially as it is, instead of giving, as the clause now does, a large measure of relief to a class of persons who, I think, are least entitled to relief from taxation.

(4.58.) MR. HEATH (Lincoln, Louth): I support the Amendment, because I wish to see the law declared; but if it is carried in its present form, the Bill will inflict the greatest injustice upon constituencies such as that I have the

honour to represent, constituencies chiefly agricultural. I fail to see why small freeholders, small householders and shopkeepers, should have to pay still further local taxation than they now do, in order to relieve the large manufacturers in the counties. I hope my hon. Friend will go to a Division on the Amendment.

*(5.0.) SIR J. DORINGTON (Gloucester, Tewkesbury): I have listened to the Debate on the Amendment, and I do not think my agricultural friends, who oppose this Bill, duly appreciate the gravity of the position created by recent judicial decisions. It is urged that the effect of the Bill will be to increase the burden of rates in agricultural districts, but that is not the fact. I represent a purely agricultural constituency, and I am quite ready to say that justice requires that some such measure as this should be passed. What are the actual circumstances of the case? It is said the law has not been altered from what it has been for many years, and, technically, that is so. No doubt the law can only be changed by Act of Parliament, but it can be differently interpreted. Looms, for instance, by a decision of 20 years ago in the Halstead case, were declared to be non-rateable; by a more recent decision, in the Chard case, they were declared to be rateable. Now, these are totally different interpretations, and result in an upsetting of the principles of rating throughout the country, and the gravest inequality and injustice. Assessors will have to follow the law as laid down in the Chard case, and the result will be an enormous increase in the rates imposed upon manufacturers. Such an increase in the rating of mills and other manufactories may in certain cases lead to the closing of some of them, and thus seriously injure the interests of the working people. As connected with these rating questions in the position of Chairman of an Assessment Committee I hope the Bill will pass, and that the law will be thus distinctly declared. This Amendment would stereotype this last decision, which really involves a change, if not in the law, certainly in the practice as to rating and the incidence of taxation.

(5.3.) The Committee divided:—Ayes 149; Noes 91.—(Div. List, No. 262.)

*(5.15.) MR. RANKIN (Herefordshire, Leominster): The Committee having decided not to accept the Amendment proposed by my hon. Friend, I now propose an Amendment which will make the law work more evenly than it can as the clause now stands. As the words of the clause run, they exempt from rates machinery used for manufacturing processes; but machinery used in agriculture should equally be exempted; and to secure this, I propose to strike out the words "for any manufacturing process," so that machinery set up in farm buildings may be exempted. As I understand the promoters of the Bill accept this, I need not argue the case, and I simply move the Amendment.

Amendment proposed, in page 1, lines 14 and 15, to leave out "machinery for any manufacturing process."—(*Mr. Rankin.*)

*MR. STANLEY LEIGHTON: This Amendment shows the danger of the whole Bill. Originally intended to exempt manufacturing machinery, of course in fairness you must include farming machinery in the exemption; and I really cannot see the limit of the exemptions. Many other persons may make out claims for exemption; all sorts of persons, all sorts of classes, will complain of being rated; and with this Amendment you will have to carry many others. I do hope the Committee will carefully consider the course upon which they are embarking.

MR. POWELL J. WILLIAMS (Birmingham, S.): Before we accept this Amendment, I should be glad if the Attorney General will tell us what effect this will have upon the law as it is. I do not venture to express my own opinion, but it is possible this may have a more extended effect than is supposed.

SIR R. WEBSTER: With merely a difference in phraseology, the effect of the Amendment will be similar to that which stands on the Paper in the name of the hon. Member for Manchester, to extend the clause to all machinery used in any "trade business"

or manufacturing process. I have already expressed my opinion that there is no objection to the words; and the present Amendment is only another way of arriving at the same object; it is simply a question of drafting.

MR. KELLY: It seems to me our choice should be in favour of the Amendment of the hon. Baronet the Member for Manchester. If we are going to exempt all kinds of machinery let us do so. If we are going to pass an Act on this vexed question let it be in as simple a form as possible. We know how litigation has sprung out of the wording of the old Act, and this may lead to further litigation. Would it not be wiser to go the length expressed in the form proposed by the hon. Member for Manchester instead of accepting this Amendment?

Amendment agreed to.

(5.20.) SIR W. HOULDSWORTH: I beg to move the Amendment which stands in my name. I believe the object I have in view is already accomplished by the Bill, but I desire to make the clause perfectly plain. I propose to insert at the end of the clause a proviso that steam engines, boilers, and all machines used for producing motive power shall continue to be rated as they have hitherto been.

Amendment proposed, in page 1, line 15, after "is," to insert "not fixed or is." —(*Sir W. Houldsworth.*)

Question proposed, "That those words be there inserted."

MR. HENEAGE (Great Grimsby): It is very difficult to deal with this Bill at all, as it proceeds on almost entirely different lines from that of last year, and we have no assistance from the Government. If I recollect aright, the whole contention before the Select Committee was whether heavy machinery in beds which were not bolted down was rateable, and it appears to me that these words raise the whole of that question again. I wish to see the machinery that is rated defined, but defined fairly; and I do not want to see put on the Statute Book a Bill which is even more complex than those now in force. I should like the Attorney General to tell us what difference will be made by the insertion of these words.

SIR R. WEBSTER: The insertion of the words would not exclude machinery of a heavy character which is not fixed, provided that it cannot be removed without injury to itself, and I shall subsequently propose to provide also that there is a special foundation for it. On the other hand, they would exclude sewing machines, and so on, which stand by their own weight.

MR. POWELL J. WILLIAMS: Would the words provide for the rating of a gas engine?

SIR R. WEBSTER: I think the hon. Baronet said he had put down an express proviso that any machinery producing motive power should be rateable.

Question put, and agreed to.

(5.25.) Amendment proposed, in page 1, line 15, to leave out "the hereditament," and insert "or sunk in the tenement or premises." — (*Mr. Kelly.*)

Question, "That the words proposed to be left out stand part of the Question," put, and negatived.

Question proposed, "That those words be there inserted."

SIR R. WEBSTER: It seems to me that "sunk in the tenement" is a somewhat ambiguous expression. Perhaps my hon. and learned Friend can suggest some better form of words.

MR. KELLY: I will move them on Report.

SIR H. JAMES: You have struck out the words in the clause, and something must be inserted in place of them.

Question put, and agreed to.

It being half-past Five of the clock, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again upon Wednesday next.

TRAMWAYS (IRELAND) ACT (1860) AMENDMENT BILL.—(No. 160.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

(5.32.) MR. CRILLY (Mayo, N.): My hon. and learned Friend the Mem-

ber for Cavan (Mr. Knox) takes a very great interest in this Bill, and he is absent at the present moment. I do not think the Bill should be proceeded with in his absence, and I beg to move, Sir, that you do report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Crilly.*)

*(5.33.) SIR E. HARLAND (Belfast, N.): I would submit that when this Bill was before in Committee nearly all the Amendments were dealt with, so that, practically speaking, there are now none before the Committee. The Irish Attorney General explained that the Amendments have no reference to the subject-matter of the Bill; and, under the circumstances, I think my hon. Friend the Member for Cavan, if he were present, would agree that we should proceed with the measure. I hope my hon. Friend will not persist in his opposition.

Question put, and negatived.

Bill reported, without amendment.

*SIR E. HARLAND: I would ask the House to allow the Bill to be now read a third time.

MR. SEXTON (Belfast, W.): The hon. Gentleman, for a new Member, is very ambitious. I must object to the Motion.

Bill to be read the third time to-morrow.

BILLS OF SALE ACT (1890) AMENDMENT BILL.—(No. 215.)

Read a second time, and committed for Monday next.

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.—(No. 72.)

Order for Second Reading read, and discharged.

Bill withdrawn.

PUBLIC ACCOUNTS AND CHARGES [PAYMENTS.]

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of moneys to be provided by Parliament, and, so far as those moneys are insufficient, out of the Consolidated Fund, of any sums lent by the National Debt Commissioners for the commutation of annuities under "The Light Railways (Ireland) Act, 1889," in pursuance of any Act of the present Session, to amend certain provisions of the Law with respect to money charged on or payable out of the Consolidated Fund, and with respect to Public Accounts.—(*Mr. Jackson.*)

Resolution to be reported to-morrow.

CORK (COUNTY AND CITY) COURT HOUSES BILL.—(No. 306.)

Read a second time and committed to a Select Committee of Seven Members, Four to be nominated by the House, and Three by the Committee of Selection.

Ordered, That all Petitions against the Bill presented four clear days before the meeting of the Committee be referred to the Committee; that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard against the Bill, and Counsel heard in support of the Bill.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Three be the quorum.—(*Mr. Attorney General for Ireland.*)

PUBLIC PETITIONS COMMITTEE.

Fifteenth Report brought up, and read; to lie upon the Table, and to be printed.

RATING OF MACHINERY (No. 2) BILL. (No. 18.)

On the Motion for Adjournment,

(5.45.) MR. CRAIG (Newcastle-upon-Tyne): I would ask the Secretary to the Treasury whether we may expect to have the Rating of Machinery Bill reprinted with the Amendments before we make further progress with it in Committee?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The Bill is not through yet.

MR. CRAIG: Can we have it reprinted so far as it has gone?

MR. JACKSON: It is not customary to do that.

MR. CRAIG: It has been done.

House adjourned at a quarter before Six o'clock.

HOUSE OF LORDS,

Thursday, 4th June, 1891.

SAT FIRST.

The Earl of Shaftesbury, after the death of his father.

COUNTY COUNCILLORS (QUALIFICATION OF WOMEN) BILL.—[H.L.]—(No. 32).

Order of the Day for the Second Reading on Monday next, discharged, and Bill (by leave of the House) withdrawn.

House adjourned at half past Four o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 4th June, 1891.

QUESTIONS.

WORK IN INDIAN FACTORIES.

MR. S. SMITH (Flintshire): I beg to ask the Under Secretary of State for India (1) whether his attention has been drawn to the letter of Mr. Holt S. Hallett on night work in Indian factories, which appeared in the *Times*, of 20th May; (2) whether he is aware that Mrs. Pechey Phipson, who for the last seven years has medically attended native Indian females, declared in her recent lecture, delivered in Bombay, that

"A Hindoo girl of 15 is about equal to an English girl of 11, instead of the reverse, and that statements to the contrary by Englishmen who have no opportunity of becoming acquainted with Hindoo family life are totally misleading;"

(3) whether his attention has been drawn to the grave evils which result from night work in factories in India; (4) whether he is aware that girls in India from 14 upward are classed as women, and do the same work as men; (5) whether his attention has been drawn to the statement of Mr. Robert Baker, one of Her Majesty's Senior Inspectors of Factories, given before the last Factory and Workshops Act Commission in this country, wherein he declared that "all night work for anybody is very injurious," and that this is a fair sample of the views held by each of Her Majesty's Inspectors of Factories and by every medical man who has been consulted on the subject; (6) whether his attention has been drawn to the statement of the honourable Mr. Bliss, that

"The Indian idea of night is that it is a cool and pleasant time when all work which does not require a better light than can be easily and readily afforded can best be done;"

(7) whether, as a fact, the temperature in Indian factories is usually very high, even at night being frequently 95 degrees; (8) whether the new Indian Factory Act affords any protection to hands employed in factories working less than four months in the year, or where less than 50 hands are employed; (9) whether his attention has been drawn to the evidence given before the Bombay Factory Commission of 1884, proving

"That five-sevenths of the small ginning factories are in a dangerous condition," that "the same set of hands work both night and day with half-an-hour's rest in the evening. The same set continue working day and night for about eight days. . . . . The hands who work these long hours frequently die;"

and whether Mr. Holt Hallett's statement, that children under the new Act are allowed to work 168 hours a week in the minor factories and workshops, is correct?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The answer to the first and second paragraphs of the hon. Member's question is in the affirmative. The Secretary of State has had his attention drawn to the letter of Mr. Holt S. Hallett on night work in Indian factories, which appeared in the *Times* of the 25th of May, who is no doubt a high authority on matters of this kind. With regard to the third paragraph of the question, the attention of the Secretary of State has been drawn to the evils which result from night work in factories in India. Night work for women is very much restricted by the Indian Factory Act, and is absolutely prohibited for children. In reply to the fourth paragraph of the question, I have to say that girls of 14 and upwards are classed as women; but the Secretary of State is not aware that they do the same work as men. The

answer to the next question is in the affirmative. The answer to the sixth and seventh paragraphs of the question is also in the affirmative. The temperature in Indian factories is usually very high. The answer to the eighth question is that the Indian Factory Act empowers the Local Government to apply its provisions to factories employing 20 hands and upwards, provided that they work more than four months in the year. I understand that most of the cotton and linen factories in Bombay will come under the Act. The answer to the ninth question about the Bombay Factory Commission is that the statement of the hon. Member is perfectly correct; and the reply to the last question is that in the factories and workshops employing less than 20 hands there is no restriction whatever on the length of children's labour.

*Mr. S. SMITH: Will the right hon. Gentleman call the attention of the Government of India to the very unsatisfactory condition under which children are employed?

*Sir J. GORST: I cannot do so, but I know that my noble Friend the Secretary for India has done so, and proper arrangements will be made for the protection of children.

TREATMENT OF INDIAN COOLIES.

Mr. S. SMITH: I beg to ask the Under Secretary of State for India whether his attention has been drawn to the telegram from Rangoon, which appeared in the *Times* of 1st June, regarding the treatment of Indian coolies returning from the Chin Hills; whether the Government have any information regarding the alleged harshness and neglect with which it is stated they have been treated; and whether inquiry will be made into the accuracy of these statements?

*Sir J. GORST: No, Sir; the Secretary of State has no information which corroborates the statement made by the *Times* Correspondent.

INDIAN ORDER FOR DISTINGUISHED SERVICES BY LADIES.

Mr. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for India whether there is an Indian Order which can be conferred upon ladies for distinguished services in India; and whether, if so, it is intended to confer it on Mrs. Grimwood?

*Sir J. GORST: My noble Friend the Secretary of State regrets extremely, in view of the courage and devotion exhibited by Mrs. Grimwood during the attack on the Manipur Residency and the retreat, that there is no Indian Order which can by its statutes be conferred on ladies for distinguished services.

Mr. LABOUCHERE: For what service is the Star of India, as it is called, conferred upon ladies?

*Sir J. GORST: I think the Star of India is not conferred upon ladies. It is confined to males.

Mr. LABOUCHERE: Then for what service is the Order which is conferred upon ladies conferred?

*Sir J. GORST: I am unable to say.

ADHESIVE POSTAGE STAMPS.

Mr. LENG (Dundee): I beg to ask the Secretary to the Treasury whether he can supply a Copy of Correspondence on the subject of the adhesive postage stamp, which passed in the early part of the year 1840, between Mr. Rowland Hill, then an official in the service of the Treasury, and Mr. James Chalmers, Dundee?

The SECRETARY to the TREASURY (Mr. Jackson, Leeds, N.): I have made inquiry, and I cannot trace any such correspondence as that mentioned by the hon. Member in the year 1840.

WHIPPING OF JUVENILE OFFENDERS.

Mr. SHIRESS WILL (Montrose, &c.): I beg to ask the Lord Advocate whether in view of the provisions of the Summary Jurisdiction (Juvenile Offenders) Bill, now pending in this House, he will lay upon the Table of the House a Copy of any rules or regulations now in force in Scotland for the whipping of juvenile offenders, whether sanctioned by the Lord Advocate as required by "The Prisons (Scotland) Act, 1860," or otherwise; and whether, under the Act of 1862, relating to the whipping of juvenile offenders (25 and 26 Vict. cap. 18), there is any authority for the whipping of such offenders in Scotland between the ages of 14 and 16?

*The LORD ADVOCATE (Mr. J. P. B. Robertson, Bute): I shall be glad to lay on the Table of the House a Copy of

the regulations referred to in the first part of this question. The hon. and learned Member will observe that these regulations were issued by the right hon. Member for South Edinburgh (Mr. Childers), and by my predecessor, the right hon. and learned Member for Clackmannanshire (Mr. J. B. Balfour), and I see no reason to differ from the view they took—that whipping may be inflicted on offenders in Scotland between the ages of 14 and 16, although not necessarily for all or every offence.

NEWFOUNDLAND.

SIR G. CAMPBELL (Kirkcaldy, &c.): I beg to ask the Chancellor of the Exchequer whether the arrangement with the Newfoundland Delegates to proceed to an agreement for further "Legislation by which the Treaties are to be enforced," and for "compensation due to persons who may suffer under them," contemplates Newfoundland legislation only, and does not involve the acceptance of any suggestion that compensation should be paid by the British taxpayers to people in Newfoundland who may be found by the arbitrators to be in the wrong; and whether the acceptance by the Newfoundland Delegates and Legislature of the temporary Act, to give effect to the Treaties and *modus vivendi*, is free from any promise to pledge British credit for railways or other public works in Newfoundland, as was at one time proposed?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): My answer to the first question of the hon. Gentleman is that nothing that has happened involves the acceptance of any suggestion that compensation should be paid by the British taxpayers to people in Newfoundland who may be found by the arbitrators to be in the wrong. My answer to the second question is that the arrangement which has been come to is free from any such promise.

EGYPT.

SIR G. CAMPBELL: I beg to ask the Under Secretary of State for Foreign Affairs if it is true that, since Sir E. Baring's Report dated 29th March, the Egyptian police has been put under the Military authorities, and Colonel Kitchener, Adjutant General or Chief of the Staff, has been appointed to command that Force, in addition to his military duties; whether, under this arrangement, the system stated by Sir E. Baring, namely, "the police are under the orders of the Mudirs Governors of Provinces," will cease, or whether the Mudirs are to be under the orders of Colonel Kitchener and the active interior administration is practically to be put under the Military Authorities, or what is to be the arrangement; and whether Her Majesty's Government have approved of it?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Colonel Kitchener, in addition to his duties as Adjutant General of the Egyptian Army, will act as Inspector General of Police in succession to Baker Pasha. I have no reason to suppose that this arrangement will entail any change of system, nor has the approval of Her Majesty's Government been asked for any such change. It is impossible to say what changes and reforms may be recommended with a view of remedying the defects in police arrangements and detection of crime pointed out in Sir Evelyn Baring's Report.

SIR G. CAMPBELL: I beg to ask the Under Secretary of State for Foreign Affairs whether, in view of Sir E. Baring's very unfavourable Report of the sanitation of Egyptian towns, and the prevailing high mortality there, it is contemplated (as stated in some of the public prints) to allow the application to sanitation and other local purposes of the local town duties (octroi and the like), which have hitherto been appropriated either to the central treasury or as part of the fund set aside for payment of the bondholders; and whether Her Majesty's Government will urge the adoption of an arrangement such as prevails in all civilised countries, so that the local taxation should be applied for the most necessary local purposes, and not appropriated as hitherto?

SIR J. FERGUSSON: The Egyptian Government have just addressed a Circular to the Powers parties to the Convention of 1884, asking their consent to the application of half the amount of the octroi duty to the improvement of the sanitary condition of Cairo. As this arrangement would entail an addition to

the annual sum fixed by the Convention for the administration of Egypt the consent of the Powers is required before it can be carried out.

SIR G. CAMPBELL: Is the Foreign Office of opinion that the transfer of duties for local purposes would be a fair expenditure for the Egyptian Government to undertake on the terms of the Convention?

SIR J. FERGUSSON: The policy of Her Majesty's Government is to interfere as little as possible with the discretion of the Egyptian Government, but they would not hesitate to express their opinion if a British officer employed by the Egyptian Government were to recommend any course which, in their opinion, was an improper one. I apprehend that the proposal is to apply the tax to municipal purposes.

THE NATIONAL GALLERY.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the First Commissioner of Works whether he will lay upon the Table of the House the Memorial recently received by him from the Trustees and Directors of the National Gallery, respecting additional space for the exhibition of pictures, and calling attention to the danger from fire to the buildings containing the National collection?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): The Memorial referred to in the question was not addressed to me, but to the Treasury, and I understand that it reiterates the views already expressed in this year's annual Report of the Director of the National Gallery. Those views were also stated in a question which was put to me on March 17 last, to which I replied on behalf of the Government. I cannot, therefore, at present see the necessity of laying the Memorial upon the Table of the House.

CHATHAM DOCKYARD.

MR. E. KNATCHBULL-HUGESSEN (Rochester): I beg to ask the Secretary to the Admiralty whether the writers of the Expense Account Department in Chatham Dockyard have been continuously employed on extra time (without pay) for the past five weeks; and, if so, for how long they are likely to be so employed; whether these writers are being constantly placed on extra time without pay during the year; and, if the staff is not sufficient to perform the work during the regular office hours, whether he will take steps to increase the staff; and, whether he will also cause inquiry to be made as to the accuracy of the weekly returns supplied as to "Hours Extra Employed"?

THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD, Lancashire, Ormskirk): About two-thirds of the writers employed in the Expense Accounts Office at Chatham have, during the past five weeks, been employed on an average four hours per week longer than they are usually required to work. Even with this additional number of hours, they have attended less than the Dockyard hours which they can be called upon regularly to work. The extra attendance has been in part due to changes incident to the recent increases in dockyard pay, and to a want of energy in some few members of the staff. Under the terms of their agreements writers can be required to give attendance beyond the ordinary working hours of the dockyard, without extra compensation, but the Admiralty take care not to strain the proviso, and endeavour to confine it to cases of pressure, such as during preparation of the Estimates and Annual Accounts, when increased labour is thrown on all members of the staff, and is, as a rule, cheerfully rendered. No complaints on the subject of overtime have reached the Admiralty from the writers at Chatham, and it is essential for the maintenance of proper discipline and for good administration, that representations from persons aggrieved should be made direct through the ordinary official channels. I have inquired into the accuracy of the weekly returns and am satisfied they properly represent the number of extra hours ordered to be worked to meet pressure. Extra hours worked up to make up arrears due to business are, however, not included.

THE COAL MINES REGULATION ACT.

SIR J. SWINBURNE (Staffordshire, Lichfield): I beg to ask the Secretary of State for the Home Department whether he is aware that at certain collieries in the Cannock Chase District the 22nd general rule of "The Coal Mines Regulation Act, 1887," which provides for the supply

of suitable timber at a place in the mine convenient to the workmen, is systematically infringed; and whether he will take such steps as may be necessary to ensure the observance of the rule in the collieries in question?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the Inspector that he is not aware of any evasion of the rule quoted. If the hon. Baronet will supply me with the names of the collieries where the infringement is alleged to take place, immediate inquiry will be made.

SCHOOLS.

MR. ILLINGWORTH (Bradford, W.): I beg to ask the Vice President of the Committee of Council on Education whether he can inform the House how many parishes there are in England and Wales in which parents have no choice of schools for their children, there being only one school in the parish, and that a denominational school; and whether he can state how many of these parishes have Church of England schools, how many Wesleyan, how many British, and how many Roman Catholic schools?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): It is roughly estimated that there are about 6,848 school districts in which there is only one school, but a fourth of these approximately have Board schools, and in respect of many others there is accommodation available in schools outside the district. Such districts are not classified according to the denomination to which their schools belong, but no doubt the bulk of them are provided with Church of England schools.

HOUSING OF THE WORKING CLASSES.

MR. STERN (Suffolk, Stowmarket): I beg to ask the President of the Local Government Board whether an inquiry under "The Housing of the Working Classes Act, 1890," as to whether there is sufficient and decent accommodation for labourers in Ixworth, Suffolk, is to be held on 15th June; whether this is the first inquiry in a rural district under the Act; and whether the Local Government Board will send an Inspector to assist the labourers at the Inquiry?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I believe that the County Council of West Suffolk has determined that an Inquiry shall be held under the Act referred to, and that it will be the first Inquiry of this character under the Act. The Local Government Board do not propose to send an Inspector to assist at the Inquiry. It would be entirely opposed to the practice of the Board to intervene in the Inquiries which are held by County Councils; and I think that it would be very inexpedient that they should do so.

HALF- AND FULL-TIMERS.

MR. SUMMERS (Huddersfield): I beg to ask the Vice President of the Committee of Council on Education whether he can state, for the towns of Oldham and Bradford, what was the percentage of passes for half-timers and full-timers in the same standards, for the year ending August, 1890, in all the schools, and, also, what was the percentage of bare passes, as compared with good passes, for the same scholars, for half-time and full-time respectively, during the same year?

SIR W. HART DYKE: No figures are available from which to make a general statement of the kind asked for, and the Inspectors have no data upon which to found a comparison covering such minute distinctions as those to which the latter part of the question refers.

VOLUNTARY SCHOOLS.

MR. SUMMERS: I beg to ask the Vice President of the Committee of Council on Education whether he is aware that there are 1,176 voluntary schools in England and Wales without any voluntary subscriptions; and that of this number 548 have neither subscriptions nor endowments; and whether he will cause a Return of the amount and distribution of the voluntary contributions to public elementary schools to be prepared and presented to Parliament?

SIR W. HART DYKE: I am aware that a certain number of schools, which by the hon. Member's own showing is not large, have neither subscriptions nor endowments. The Return already published gives the information asked for in the latter part of the question;

and I have no objection to supplying any further summary which the hon. Member thinks would be useful, but I may have hereafter to make some important reservations as to the application of the same.

EPPING FOREST.

MR. MORTON (Peterborough): I beg to ask the First Commissioner of Works whether his attention has been called to the recent refusal of the Conservators of Epping Forest to place on the register of commoners any person holding less than half an acre of land; whether, in view of the rights confirmed by Clause 5, and Sub-section 8 of Clause 33 of the Epping Forest Act of 1878, the Conservators are justified in depriving the small commoners of their ancient rights, as protected by Clause 5 of the said Act; and whether the commoners have the right to attend the meetings of the Conservators?

MR. PLUNKET: My attention has been called to the circumstances mentioned in the question of the hon. Member, and I have consulted my legal advisers on the subject; but I am assured by them that the Epping Forest Act gives me no right to interfere in the matter in dispute, which is, as I understand, a question of law, and under these circumstances I think it is not for me to express any opinion on the subject.

MR. MORTON: Do the Commissioners claim the power to deprive the commoners of their rights?

MR. PLUNKET: The hon. Member had better put the question down upon the Paper.

MR. MORTON: Does the right hon. Gentleman expect that these men will be in a condition to defray the expense of vindicating in a Court of Law the rights they are supposed to have?

[No answer was returned.]

MANICALAND.

MR. LABOUCHERE: I beg to ask the Under Secretary of State for the Colonies whether it is intended to hand over Manicaland to the Chartered Company of South Africa, in the event of this territory coming under British Protectorate; and whether, if so, in view of the fact that the promoters of the South Africa Company have reserved to themselves one-half of all net profits derived from the concession to them of certain mining rights in Mashonaland from Lobengula, which half they have assigned to a company, consisting of themselves and others, for the sum of £4,000,000, represented by shares of the company, and thrown all the expenses of administration of Mashonaland, in consideration of meeting which they were granted a charter, on the Chartered Company of South Africa; and, in view of the fact that all persons engaging in mining operations in Mashonaland are required to pay to the Chartered Company and to the parent company formed by the promoters one-half of all net profits, steps will be taken to secure to British subjects the right to engage in mining operations in Manicaland without being obliged to pay this vast royalty to the promoters of the Chartered Company of South Africa, and to reserve free access to all of Her Majesty's subjects to that territory?

*THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): So much of Manica as is not within the Portuguese boundaries is already within the field of the British South Africa Company's operations, as defined by the Royal Charter. Her Majesty's Government accept no responsibility for the financial arrangements of the British South Africa Company, or for the hon. Member's description of them; but as the Company will be required to expend large sums for the purpose of maintaining order and good government, Her Majesty's Government do not propose to object to their raising revenue in the manner described, or to require that British subjects not contributing to such revenue shall have free access to the territory under the company's control.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): May I ask whether the right hon. Gentleman is prepared to give an assurance that British troops shall not be used in the protection of the company's interests?

*BARON H. DE WORMS: I cannot answer a question that is purely hypothetical.

THE THAMES ABOVE KEW BRIDGE.

MR. LABOUCHERE: I beg to ask the Secretary to the Treasury whether

he is aware that the island in the Thames above Kew Bridge is being undermined by the action of the tide; that the trees on it are likely to fall and possibly crush passing boats; and that when they do fall, the plants and shrubs in Kew Gardens, to which they afford protection from wind and weather, will suffer; that the island is becoming an eyesore to the neighbourhood, and that the attention of the Commissioners of Woods and Forests has been called to this state of things, but that no notice has been taken by them of the communication; and whether, in view of these facts, he will urge on the Commissioners their obligation, as trustees of this National property, to keep in proper condition this island?

MR. JACKSON: It appears doubtful whether the island referred to is being undermined so much by the action of the tide as by the wash of passing steamers. I am informed that care will be taken to remove any trees that are likely to be dangerous to passing boats.

THE SCOTCH CENSUS.

MR. KEAY (Elgin and Nairn): I beg to ask the hon. Member for Wigton (Sir Herbert Maxwell) whether, in the matter of the recent Census in Scotland, the registrar of the parish had the duty of dividing it into sections corresponding to the number of the enumerators, whether this duty was performed subject to confirmation by the Registrar General; did the Registrar General issue any rules as to the number of miles required to be traversed by the respective enumerators; what check exists on the number of miles charged for by the enumerators; and how is such charge certified as correct, and what official is responsible for so doing?

*A LORD OF THE TREASURY (Sir HERBERT MAXWELL, Wigton): I am unable to answer this question, which I would suggest to the hon. Member ought more properly to be addressed to the Lord Advocate.

MINING INSPECTORSHIP—WEST LIVERPOOL DISTRICT.

MR. G. OSBORNE MORGAN (Denbighshire, E.): I beg to ask the Secretary of State for the Home Department whether, on the occurrence of the vacancy in the Assistant Inspectorship of Mines for the West Liverpool District (which includes the Counties of Denbigh and Flint), lately filled up by the appointment of Mr. E. Stokes, there were several candidates who, in addition to the highest general qualifications for the post (as shown by their testimonials and other evidence), possessed also a thorough knowledge of the Welsh language; and whether, under these circumstances, the appointment of an Assistant Inspector having no knowledge of that language constitutes a direct contravention of the provisions of Section 39, Sub-section 1, of "The Coal Mines Regulation Act, 1887"?

MR. MATTHEWS: I appointed Mr. Stokes as the best qualified of a list of 28 candidates, who were themselves selected as the most eligible out of a much larger number. Of these 28 some were acquainted with Welsh, including one gentleman, whom I nominated for a vacancy which occurred about the same time in South Wales. I do not consider that Mr. Stokes' appointment was a contravention of the Coal Mines Regulation Act. Not only did he appear the best qualified candidate, but the Liverpool District is mainly an English district.

*MR. G. OSBORNE MORGAN: Has this gentleman any means of communicating with the thousands of miners in Flintshire and Denbighshire who speak nothing but Welsh?

MR. MATTHEWS: The right hon. Gentleman had better put another question.

THE TRIPLE ALLIANCE.

MR. LABOUCHERE: I beg to ask the Under Secretary of State for Foreign Affairs whether, in view of the fact that when asked on 22nd February, 1888, to lay upon the Table of the House any correspondence that had taken place during the previous year between Her Majesty's Government and Foreign Powers with respect to the position of this country in regard to the Triple Alliance that was entered into in 1887 between Austria, Germany, and Italy, and particularly in regard to any declarations made to Italy, which may have induced her to enter into that alliance, he replied (*Hansard*, Third Series, vol. 322, p. 1186) that "the time had not come when there should be any publication of such

correspondence," and in view of the fact that assertions are being made by Deputies in the Italian Chamber, and have been uncontradicted by the Italian Ministers, with a view to lead that Chamber to conclude that special undertakings exists between England and Italy, for the defence of Italian interests, of such a nature that they render the position of Italy secure by sea and land against all Foreign attack, in order that a majority may be secured in the Chamber in favour of a renewal of the Triple Alliance next year, he will now lay upon the Table of the House all communications that took place in 1887 between this country and Italy in regard to the Triple Alliance, to the adhesion of Italy to that alliance, and to the special undertakings (if any) of this country towards Italy which have been referred to in the Italian Chamber?

SIR J. FERGUSSON: On the occasion referred to I pointed out that such correspondence as would naturally pass between Her Majesty's Government and Foreign Governments at a time when the affairs of Europe were in a somewhat critical condition, in the interests of peace and in reference to the existing and possible elements of danger, was not of a character that could be published without depriving this country of its beneficial influence in the maintenance of peace. I say so still; but I repeat, as I then stated, that Her Majesty's Government have entered into no engagements pledging the employment of the Naval and Military Forces of the Crown in any contingency, and that Her Majesty's Government retained their full liberty of judgment as to what action we should take and as to what means we should employ in any conceivable circumstances. At the same time, Italian statesmen are well aware that Her Majesty's Government are at one with them in desiring that there shall be no disturbance of the existing order in the Mediterranean and adjacent seas, and that the sympathies of this country would be on the side of those who would maintain a policy so important for the British interests involved. We have in no degree changed our attitude since the hon. Member last questioned me on the subject.

MR. LABOUCHERE: I beg to give notice that on the Foreign Office Vote I shall move the reduction of the salary of the Foreign Secretary by £100, in order to call attention to this matter.

OUTDOOR SPORTS IN LONDON.

MR. H. GLADSTONE (Leeds, W.): I beg to ask the First Commissioner of Works whether, having regard to the growth of the population of London, and the increasing absorption of the open spaces available for outdoor sports in and near the Metropolis, he will consider the possibility of allowing cricket to be played at stated hours, on all or certain days of the week, and under any necessary restrictions, in the north-west corner of Hyde Park?

MR. PLUNKET: The question of allowing cricket to be played in Hyde Park has often been raised for many years past, and I should, of course, be glad to afford the same facilities for the game in Hyde Park as are enjoyed in Regent's Park; but the circumstances of the two parks as to demands upon the space by other sections of the public are quite different, and I must reluctantly adhere to the refusal which has always hitherto been given.

*MR. H. GLADSTONE: May I ask whether the right hon. Gentleman has visited the north-western portion of the park in the evening?

MR. PLUNKET: Yes, Sir, I have, both morning and evening, and in the middle of the day also.

*MR. H. GLADSTONE: I shall call attention to this question at the first opportunity.

BRITISH WEST AFRICAN SETTLEMENTS.

MR. SUMMERS: I beg to ask the Under Secretary of State for the Colonies whether his attention has been called to the unsanitary condition of many of the towns and stations comprised within the limits of the British West African Settlements, and whether he can inform the House if the Government have taken, or intend to take, any steps to remedy a state of things that imperils the life and health of Her Majesty's subjects in those parts?

BARON H. DE WORMS: The Secretary of State is well aware that the sanitary conditions of many of the towns and stations in the British West African Colonies are not by any means all that

could be desired. Measures for their improvement are constantly being carried out, but these are limited by (1) the amount of funds at the disposal of the different Colonial Governments, (2) by the difficulties of snpervision caused by the climate, and (3) by the opposition frequently manifested by the natives themselves to sanitary improvements. A perusal of the Reports sent home by the Colonial Governors, and presented to Parliament, will show that much, however, has already been done.

THE PROBATE AND LICENCE DUTY.

MR. T. ROBINSON (Gloucester): I beg to ask the President of the Local Government Board whether he is aware that a great many of the county boroughs in England are very dissatisfied with the decisions of the Commissioners as to the division of the sums received for Probate and Licence Duty granted under the provisions of "The Local Government Act, 1888"; whether he has been informed that in all cases the Commissioners have refused leave to appeal upon points of law and otherwise; whether it is true that the county borough of Gloucester (by the decision of the Commissioners) is only to receive the small sum of £4,050, whereas the County Council of Gloucestershire is given the large sum of £74,000; whether he is aware upon what grounds the Commissioners arrived at this decision, and that the effect of it will be to deprive the citizens of Gloucester of nearly all the advantage they expected to receive under the provisions of the aforesaid Act; whether he is aware that the City of Gloucester was an independent county of itself before the passing of the Local Government Act, and not liable to pay any sum to the then County Authority; whereas, under the decision of the Commissioners, the citizens will now have to pay to the County Council yearly, out of the sums received within the limits of the county borough for Probate and Licence Duty, the large sum of £3,000 and upwards; and whether the City Council have any, and, if so, what, remedy under the Act?

*MR. RITCHIE: The Commissioners are discharging the duties which have been expressly entrusted to them by Parliament, and their awards are binding and conclusive to and for all intents and purposes, and have the like effect as if they were made by a Judge of the High Court of Justice. The Local Government Board are furnished with copies of the awards made by the Commissioners; but they obviously have no authority to inquire as to the proceedings of the Commissioners and the grounds for their decision. With respect to the statement in the question that the City of Gloucester will have to pay yearly out of the sum received within the limits of the county borough, for Probate and Licence Duty, upwards of £3,000, I must remind the hon. Member that for the purposes of the distribution of the Licence Duties and the Probate Duty grant the city is to be deemed to be situate within the county, and that the only claim which the city has is to such an amount in respect of the grant referred to as the Commissioners determine to be equitable as between the city and the county.

BRITISH SOUTH AFRICA COMPANY AND THE BOERS.

CAPTAIN GRICE-HUTCHINSON (Aston Manor): I beg to ask the Under Secretary of State for the Colonies whether Her Majesty's Government are in possession of any further information as to the reported movement of Boer Trekkers into the territory of the British South Africa Company?

BARON H. DE WORMS: The latest information encourages the hope that this project has been dropped.

PURCHASE OFFICERS IN THE ARMY.

GENERAL FRASER (Lambeth, N.): I beg to ask the Secretary of State for War, in view of the great anxiety experienced by the purchase officers of the Army, relative to their position as affected by Royal Warrants, when it is probable that the Army Estimates will be brought before the House, and when an opportunity will be given for the alleged grievances of the officers to be fully discussed?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I should wish to point out to my hon. and gallant Friend that the great anxiety of the purchase officers for a Debate on this subject might have been gratified either on February 19 or 23 or March 5, in Committee on Army Esti-

mates, or some effort might have been made to obtain a day by ballot. It will be for my right hon. Friend the Leader of the House to fix the day when Army Estimates can again be taken, but personally I shall be very glad to discuss this matter as soon as possible.

LIVERPOOL CUSTOMS ESTABLISHMENTS.

MR. WHITLEY (Liverpool, Everton): I beg to ask the Secretary to the Treasury if the Treasury will consider the desirability of applying to the eight second-class clerks of the old establishment in the Customs at Liverpool the provisions of the recent Treasury Order, by which a large number of the redundant clerks in the Customs in London are placed on the Upper Division, with antecedent rights as regards pay and priority of position, from the dates of the vacancies to which they are now held to have been respectively entitled, the cases of the clerks in both places being similar, their condition since the year 1880 being governed equally by the provisions of the Treasury Order of August in that year, the periods of service being longer and the official disadvantages greater in the case of the Liverpool clerks?

MR. JACKSON: I think the question of the hon. Member is based upon a misconception, as the cases of the clerks in Liverpool and London are not similar, the London clerks being governed by the Treasury Order of August, 1880, whereas the Liverpool clerks are subject to the conditions of a later Treasury Letter, which does not extend to them all the London conditions.

LINCOLN POSTAL ARRANGEMENTS.

MR. HENEAGE (Great Grimsby): I beg to ask the Postmaster General what is the cause of the great delay in carrying out the proposed improvements in the postal arrangements in the Lincoln district; and whether the difficulty which has arisen between the Post Office Authorities and the Midland Railway as to the new sorting office at the Lincoln Station is a legal or practical difficulty?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The proposed improvements in the rural post arrangements in the Lincoln District cannot be carried out until the sorting office at Lincoln Railway Station is ready. Some little delay unavoidably took place in obtaining the necessary approval of the Midland Railway Company to the plans of the new office, but the sanction of that company has now been received, and the Office of Works has been asked to proceed with the building with all possible expedition.

ST. PAUL'S SCHOOL.

MR. KEAY: I intended to ask the hon. Member for Penrith (Mr. J. W. Lowther) whether it is a fact, as stated on page 16 of a pamphlet entitled *St. Paul's School and its Scandals*, by Mr. James Beal, Member of the London County Council, that the High Master of St. Paul's School has for several years drawn from the funds of the Charity large sums in excess of what he is allowed to draw by the scheme passed by Parliament in 1876 and 1879, and which sum for the year 1889 is there alleged to amount to £640 6s. 8d; and whether the Charity Commissioners will take steps to inquire into the truth of these allegations? I have, however, been requested to postpone the question until Monday.

CENSUS ENUMERATORS.

MR. SUMMERS: I beg to ask the President of the Local Government Board whether his attention has been called to the complaints of many of the Census enumerators who have not yet been paid for their work in connection with the taking of the Census; and whether he will communicate with the Registrar General with a view to accelerating the rate at which the payments to the Census enumerators are being made?

*MR. RITCHIE: I have communicated with the Registrar General, and I understand that drafts on the Paymaster General for the payment of all local Census expenses, including enumerators, fees and allowances, have been sent in accordance with the Census Act to the Superintendent Registrars of 630 of the 632 Registration districts of England and Wales. The Census Returns for the two remaining districts are not yet com-

plete, and the claims for local expenses have, therefore, not been received at the Census Office.

ALBANY STREET CAVALRY BARRACKS.

MR. LAWSON (St. Pancras, W.): I beg to ask the Secretary of State for War whether the plans and designs for the new Cavalry Barracks in Albany Street can be inspected by the public, as the inhabitants of the neighbourhood wish to do so; and, if so, under what conditions?

*MR. E. STANHOPE: The plans are not yet complete; but as they do not involve any re-construction of the exterior of the buildings fronting the public way, I do not see what good end would be attained by their public exhibition.

IMPORTS AND EXPORTS OF MERCHANDISE.

MR. HOLLOWAY (Gloucester, Stroud) I beg to ask the President of the Board of Trade if his attention has been directed to the rapidly increasing disparity between the imports and exports of merchandise during the past half-century, and the ever increasing consumption in this country of foreign produce and manufactures, without a corresponding export of British productions, such disparity having increased from £80,000,000 in the 10 years ending 1850 to £1,000,000,000 in the 10 years ending 1890; and if the Labour Commission will be directed to inquire into the effect which this ever increasing consumption of foreign goods has upon the industrial classes of this country?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I could not answer my hon. Friend's question without entering into argument on a subject which has afforded material for innumerable discussions for many years. But I may say that, though there is no doubt that the excess of imports over exports has been increasing during the last 30 years, the figures given are not correct. There was no valuation of imports in 1850 as there is now, but only an old official computation based on the prices of 1697, which was entirely out of date, and several very important items of our receipts, such as the interest on foreign investments, the earnings of our ships, and the commissions of merchants, are not included in the Returns of imports. It is for the Royal Commission on Labour to judge how far this matter may properly fall within the terms of their Commission, but I should say that it could only incidentally do so.

EMPLOYMENT BY TURKEY OF KURDISH IRREGULAR TROOPS.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for Foreign Affairs whether the Turkish Government persists in the intention it declared some time ago to arm certain regiments of Kurdish irregular troops; and, what communications have passed between Her Majesty's Government and the Government of the Sultan with regard to this hazardous scheme?

SIR J. FERGUSSON: We have no reason to believe that the proposed organisation of the Turkish Cavalry is abandoned. From the Reports on the subject, which we have received from Sir W. White, it appears that the object with which it has been undertaken is to create a Body of Cavalry after the model of the Cossacks, for the defence of the border provinces of the Empire. Sir W. White has made inquiries on the subject, but there does not appear to be anything in the scheme which calls for communications to the Porte on the part of Her Majesty's Government, and none have been made.

THE OMNIBUS STRIKE.

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for the Home Department if he will consider the advisability of endeavouring to avert the threatened strike of omnibus and road car men, and the probable great inconvenience to the public, by bringing pressure to bear on the companies to grant the men's reasonable demands, as was done by the Government in Vienna two years ago in a similar case?

MR. MATTHEWS: It has never been considered one of the functions of the Home Office to interfere in trade disputes between private companies and their *employés*, and I do not propose to create a precedent by acting on the suggestion of the hon. Member in this instance.

THE TAILORS' STRIKE.

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for the Home Department under whose orders the police, in the neighbourhood of Spitalfields, where a tailors' strike is going on, used their bâtons in dispersing the pickets who were on duty on 1st June?

MR. MATTHEWS: I am informed by the Commissioner of Police that no orders were given to use truncheons on the occasion in question, and that as a matter of fact truncheons were not used.

BRITISH TRADE IN GERMANY.

MR. HANBURY (Preston): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to a letter recently read before the North Staffordshire Chamber of Commerce from Her Majesty's Consul at Frankfort on the Maine, suggesting his employment as a private salaried agent of the Chambers of Commerce to communicate information to them affecting the interests of British trade in Germany, and whether such a proposal had the approval of the Foreign Office; whether it is already a chief part of the consular duties to transmit such information for the general use of the public; whether, however, there are in fact no paid Consuls to perform such duties in so important a country as Germany, and there is only one paid commercial attaché for all Europe, except Russia; and, whether it is proposed to remedy this state of things by allowing consuls to act as private salaried agents reporting to special employers, instead of employing more paid consuls or commercial attachés to look after and report publicly upon the general interests of British trade?

SIR J. FERGUSSON: The Consul referred to is unpaid, and is therefore free to carry on private business. The suggestion he lately made to Chambers of Commerce was to afford to their members information on matters beyond his consular duties; agency business of this nature is legitimate in his position, and there could be no objection to it on the part of the Foreign Office. There are now three salaried British Consuls in Germany—at Dantzic, Hamburg, and Stettin; allowances for office expenses are made to the Consul General at Frankfort, the Consul at Düsseldorf, and also to seven Vice Consuls. The commercial attaché for Europe, who resides at Paris, was long resident in Germany, and is fully conversant with German commercial subjects, and can visit that country whenever public interests require him to do so. The Royal Commission on Public Establishments did not consider the existing arrangements in Germany inadequate for the general interests of British trade, and there is no present intention of altering them.

MR. HANBURY: I beg to give notice that on the Foreign Office Vote I shall call attention to the inadequate representation of British interests abroad, and move a reduction.

SCHOOL PUNISHMENT.

SIR J. SWINBURNE: I beg to ask the Attorney General whether he will direct the attention of the Public Prosecutor to the evidence given in the inquest on the body of James Harry Russell, aged 8 years and 9 months, in which it was stated that the lad had been hit about the head with a strap and a stick by the schoolmaster of Shentone School (near Lichfield)?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): In reply to the question of the hon. Baronet, I am informed by the Director of Public Prosecutions that he received no communication from either the Coroner or the Police Authorities, nor had he any knowledge of the matter until the question of the hon. Baronet appeared. I had no information as to the case. I have to-day obtained some particulars, and I will go into the matter and will communicate with the hon. Baronet when I have had an opportunity of considering the evidence given in the case.

EMIGRATION TO BRITISH COLUMBIA.

MR. RANKIN (Hereford, Leominster): I beg to ask the Chancellor of the Exchequer whether the Government have now come to any decision with regard to the proposals of the Government of British Columbia with respect to assisting emigration from the Highlands of Scotland and other parts of the United Kingdom to British Columbia?

MR. GOSCHEN: I had an interview yesterday with a Representative of the

Government of British Columbia upon this question of assisting emigration. I told him the conditions upon which we should be prepared to assent generally to the proposals made to us, and he will submit these conditions for the consideration of his Government.

IMMIGRATION OF DESTITUTE ALIENS.

MR. S. SMITH: I beg to ask the First Lord of the Treasury whether his attention has been called to a statement in the Russian newspaper, *Vedomosti*, that a Society has been formed to assist the emigration of the poorer class of Jews to the United Kingdom, and that the Society is negotiating with a Baltic steamship line for carrying an immense number of Jews from Libau and Riga to London; that it is calculated that with four steamers constantly engaged 60,000 Jews can be landed in the Thames before the close of navigation in the Baltic; and whether the Government will take means to learn the truth of this statement, and propose legislation to protect our overcrowded population from this addition to their numbers?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I have no communication to make on this subject, except that we have telegraphed to the Consul at Riga to inquire whether there is any foundation whatever for the statement quoted in the question. I have not seen the newspaper to which the hon. Member refers. I shall be obliged to him if he will send me a copy. I believe it, however, to be impossible that such an intolerable abuse of the system of emigration can be contemplated.

MR. J. LOWTHER (Kent, Thanet): Is the right hon. Gentleman aware that, apart altogether from the circumstances referred to in this particular question, there is a very strong popular feeling in this country with reference to the immigration of foreign paupers, and will the right hon. Gentleman undertake to consider this subject in all its bearings, and the expediency of taking some steps before allocating finally all the remainder of the time at the disposal of the House?

*MR. W. H. SMITH: I wish it were in the power of the Government to allocate finally all the remainder of the time at our disposal this Session. I have always understood that the matter rested rather with the House itself. But I have no doubt that if it appears to the House desirable that this question should be discussed an opportunity will be found for doing so.

BUSINESS OF THE HOUSE.

MR. COGHILL (Newcastle-under-Lyme): I beg to ask the First Lord of the Treasury whether, seeing the small amount of time left this Session for a full and adequate discussion of the Education Bill, and in order to give the country time to consider its provisions, the Government will, after the Bill has been brought in, postpone the Second Reading of it until November?

*MR. W. H. SMITH: I cannot agree that there is not sufficient time left for the adequate discussion of the short Education Bill which we shall submit to the House.

MR. COGHILL: Does the right hon. Gentleman contemplate that the discussion upon Votes in Supply will this Session take a shorter time than usual?

*MR. W. H. SMITH: Yes; I have reason to believe so. I think the House will not desire to sit beyond the end of July, and therefore that it will not unduly prolong the discussion of Supply or of any other subject.

MR. LABOUCHERE: What ground has the right hon. Gentleman for thinking that hon. Members on this side of the House object to sit beyond the end of July if the business of the country requires that they should so sit?

*MR. W. H. SMITH: I have no doubt that there are some hon. Gentlemen who are anxious to sit into August, or even September, and the hon. Member is doubtless one of them; but I think the House generally feels that it would be desirable to adjourn earlier.

SIR W. HARCOURT (Derby): May I point out to the right hon. Gentleman that it would help us to know when Supply will be concluded if we were told when Supply will be begun?

*MR. W. H. SMITH: I shall be exceedingly glad to name a date for the resumption of the consideration of Supply, which has already been considered on many days during the course of the present Session, if the right hon. Gentleman can give me some indication

of the date when the Land Purchase Bill and some other measures will have been disposed of.

WELSH SUNDAY CLOSING ACT.

MR. ROBERTS (Flint, &c.): I beg to ask the First Lord of the Treasury whether the Government proposes taking any action this Session towards carrying out the recommendations made by the Royal Commission appointed by the Government in May, 1889, to inquire into the working of the Welsh Sunday Closing Act, and in which recommendations the Members of the Royal Commission were unanimous?

*MR. W. H. SMITH: The Government do not propose to legislate on the subject this Session. No doubt the recommendations of the Commissioners will not be lost sight of whenever an opportunity may arise for amending the law.

LOANS TO SCHOOLS AND TRAINING COLLEGES (IRELAND) BILL.

MR. SEXTON (Belfast, W.): I beg to ask the Secretary to the Treasury what is the cause of the prolonged delay in circulating the Loans to Schools and Training Colleges (Ireland) Bill, introduced on the 8th of April, and set down for Second Reading on Monday last?

MR. JACKSON: I am sorry that I am not quite in a position to give an answer to-day; but I may say that the question has been considered. The view of the Treasury is that legislation is not necessary. Communications have been passing between the Irish Office and the Treasury during the week, but no decision has been arrived at. Perhaps the hon. Gentleman will be good enough to repeat the question on Monday.

MALICIOUS BURNINGS.

MR. BLANE (Armagh, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if it be true that a man named Kilpatrick has for the fourth time made application to the Grand Jury of the County of Armagh for compensation for alleged malicious burnings; and if, in three instances, compensation was awarded; if the attention of the County Inspector of Constabulary has been drawn to those repeated burnings, followed by compensation in each case; and if he intends to take any steps before the fourth application for compensation is placed before the Grand Jury?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Constabulary Authorities report that Kilpatrick claimed, and obtained, compensation from the Grand Jury in respect of two cases of alleged malicious burning. A third claim is, I understand, pending. The Grand Jury have full power to reject any such claim, should they consider it unsustained.

DISTRESS IN IRELAND.

MR. GILHOOLY (Cork, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the small farmers and labourers in Glengarriff, County Cork, are in great distress owing to the failure of the potato crop and want of employment; whether they are receiving outdoor relief from the Bantry Board of Guardians; whether he is aware that the Bantry Board of Guardians have recommended the making of roads, but that only two are being made; whether he is aware that the distance from the nearest of them to the greater number of men in want of employment is eight miles; and whether other roads will be immediately constructed with a view to relieve the distress in Glengarriff?

DR. TANNER (Cork Co., Mid) also put a question upon the same subject.

MR. A. J. BALFOUR: Relief works have been established, and I am informed that they afford sufficient employment.

MR. GILHOOLY: Is the right hon. Gentleman aware that there are a great number of men who are not employed?

MR. A. J. BALFOUR: I have no information.

MR. GILHOOLY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether a great amount of distress prevails in the Schull Union; and, if so, whether he will provide employment for the people there with a view to alleviate it?

MR. A. J. BALFOUR: There is, I believe, some distress in the Union, but there are relief works in operation.

MR. GILHOOLY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to the distressed condition

of the people of Drinagh (in the Skibbereen Union); and whether he purposes opening public works to afford employment there?

MR. A. J. BALFOUR: The condition of this district has engaged the attention of the Government, but it has not been found necessary to institute relief works.

CHARGE OF MURDER AT GLENGARRIFF.

MR. GILHOOLY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is a fact that a man named Maurice Healy has been arrested and charged with the murder of a gamekeeper named Daniel Harrington at Glengarriff; whether Healy has been remanded 16 times; whether he has been kept in prison from the 14th February to the 22nd May; and whether evidence in support of this grave charge has been given against Healy; and, if not, whether he will be compensated for the wrong inflicted on him?

MR. A. J. BALFOUR: I am informed that the Magistrates acted in the ordinary way. I am not aware that there is any necessity for compensation in the matter.

MR. SEXTON: It appears that this man has been remanded 16 times successively. I ask the right hon. Gentleman to lay on the Table of the House a copy of the evidence on which the Magistrates felt justified in ordering 16 successive remands. I have not known of such a case in the whole of my experience.

MR. A. J. BALFOUR: I believe the Magistrates acted on the evidence adduced before them.

MR. SEXTON: Upon what legal principle does a Magisterial tribunal act in remanding a man for 16 times?

MR. A. J. BALFOUR: The Magistrates act on the probability of being able to obtain evidence.

MR. SEXTON: May I ask the Home Secretary if he has ever known a similar case?

MR. MATTHEWS: Yes, Sir. Remands of this kind are a matter of daily occurrence. There is a case in Wales which is exciting great interest, in which the prisoner has been remanded over and over again.

MR. SEXTON: I shall feel it my duty to call attention to this case on the Vote for Law and Courts of Justice in Ireland.

MR. MAC NEILL (Donegal, S.): As a matter of fact, was not one of the Magistrates a paid agent of the Government—a Resident Magistrate?

MR. A. J. BALFOUR: I have not the least idea.

MR. MAC NEILL: Then I can say that it was so.

DISTRESS IN THE ROSSES.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to the letter of the Most Rev. Dr. O'Donnell, Lord Bishop of Raphoe, in the *National Press*, of June 1, describing the great suffering of the people in the parishes of the Rosses, Gweeharra, Gweedore, and Falcarragh, and complaining that no relief works had been instituted in this the most poverty-stricken district of Donegal; and whether any steps will be taken by the Government to give immediate employment to the people of this locality?

MR. A. J. BALFOUR: The condition of the districts mentioned has engaged, in common with other localities, the careful attention of the Government, who I am glad to say have found no necessity for the opening of relief works there.

INTERMEDIATE EDUCATION IN IRELAND.

MR. M. HEALY (Cork): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the attention of the Board of Intermediate Education in Ireland has been called to the general complaints which have been made as to the tendency of their new rules to restrict the benefits of intermediate education to students of the better class who obtain a classical education at Board schools to the prejudice of the poorer class of students who by the operation of the system as previously administered were enabled to obtain a good commercial education in the various day schools which sent forward pupils for examination; and whether they will re-consider their recent rules, so as to secure that the public moneys which they administer

will benefit the poorer class of students who most need education assisted by the State; whether book-keeping, though hitherto a subject of study in the junior grade, is now omitted as well from that grade as from the new preparatory grade; whether natural philosophy and chemistry are omitted from the preparatory grade, though these subjects were hitherto included in the junior grade, and though the proposed preparatory grade includes five languages, Latin, Greek, French, German, and Italian; whether the new preparatory grade, being only provided in the middle and senior grades, is thus practically restricted to students in their 17th year or older, though youths intended for a commercial life generally leave school in Ireland in their 15th or 16th year; and whether the Board will re-consider the new rules, with a view to giving greater encouragement to commercial education; whether the Board of Intermediate Education in Ireland, in fixing the subjects of study in the new preparatory grade, have excluded Celtic, though Celtic has always hitherto been one of the subjects for students, no matter of what age, entered for the junior grade, and all the other languages hitherto prescribed as subjects in the junior grade, namely, Latin, Greek, French, German, and Italian, have been now prescribed as subjects for the preparatory grade; for what reason Celtic has been put on a different footing from the other languages mentioned; whether he is aware that the exclusion of Celtic has caused great dissatisfaction in the schools where Celtic has been studied; and whether the Board will consider the danger that students, if precluded from the study of Celtic for the two years while in the preparatory grade, will not make it a study at all? I beg further to ask the Chief Secretary whether his attention has been called to the increasing tendency of the Board of Intermediate Education in Ireland to give their examinations a purely literary direction to the detriment of students desiring a commercial education; whether, in the new preparatory grade, purely literary subjects (Greek, Latin, English, French, German, and Italian) between them are allowed 5,500 marks out of a possible total of 7,300, while the commercial subjects (arithmetic, Euclid, algebra, and drawing) get only 1,800 marks, and book-keeping, natural philosophy, and chemistry are entirely excluded, though always hitherto included in the curriculum for boys of the age for whom the preparatory course is intended; whether, in the other grade, the same disproportion is observed between literary and commercial subjects, and the new commercial course only comes into operation for youths in their 17th year, an age at which very few youths intended for commercial pursuits can continue to remain at school in Ireland; and whether the Board will reconsider their new programme, with a view to making it less unfavourable to commercial students?

MR. A. J. BALFOUR: The Assistant Commissioners of Intermediate Education report that the Board have fully considered all communications addressed to them in reference to their rules, and have embodied their views in draft rules now before the Lord Lieutenant for consideration, and which, if approved, will be issued in due course. The Board do not propose to make any further changes in the rules and programme of 1892. The rules and programme for 1893 will, in the ordinary course, come before the Board in November next, when they will fully consider any communications which may be laid before them in reference thereto.

THE LAND PURCHASE BILL.

MR. M. HEALY: I beg to ask the Attorney General for Ireland whether Sub-sections (4), (5), and (6) of Section 5 of the Land Purchase Bill are intended to apply to cases affected by Sub-section (3) of the same section; and whether, if so, they will require some modification to make them applicable?

*THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): Yes, Sir; it is intended that these sub-sections should apply to cases affected by Sub-section (3) of the same section. My examination of the clauses as drawn leads me to the conclusion that they will not require modification to make them applicable; but I will again consider the matter.

MR. M. HEALY: I beg to ask the Attorney General for Ireland whether, in the Land Purchase Bill as it now

stands, the cash portion of the Guarantee Fund is liable to be drawn on in respect of a default made in the payment of a purchase annuity, notwithstanding that the instalments in arrear have not been declared irrecoverable, though the guarantee deposit cannot be drawn on until that has been done; and whether it is intended to make any express provision as to the point when the guarantee deposit becomes liable?

MR. MADDEN: The existing provisions of the Land Purchase Acts of 1885 and 1887 are applicable to deposits under the present Bill. Such deposits, however, cannot be made responsible for default until certain legal processes have been gone through.

MR. M. HEALY: What I wish to know is whether the cash portion of the Guarantee Fund is liable to be drawn on in respect of a default made in the payment of a purchase annuity?

MR. MADDEN: Yes, Sir, undoubtedly. As the Bill stands, the Guarantee Fund is made liable.

LOANS TO IRISH LANDOWNERS.

MR. PIERCE MAHONY (Meath, N.): I beg to ask the Secretary to the Treasury whether, in the case of a loan to a landowner in Ireland under "The Relief of Distress (Ireland) Act, 1880," at an annuity of £3 8s. per cent., where the landowner is desirous of paying off the loan, the Treasury will calculate the amount to be paid according to the present value of an annuity of £3 8s. per cent. for the number of years still unexpired for which the annuity has to be paid?

MR. JACKSON: A landowner who has borrowed under the Relief of Distress (Ireland) Act, 1880, and who desires to redeem his loan, is allowed to do so on payment of a sum equal to the present value on a 3 per cent. table of the remainder of the annuity payable by him in respect of his loan.

IRISH NATIONAL SCHOOLS.

MR. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, under the rules of the Board of National Education in Ireland, ordinary assistant teachers are paid the same, no matter to what class they belong; whether assistant teachers in model schools and training schools are, notwithstanding this rule, paid according to class and also for extra duty; whether Sir Patrick Kerran has frequently represented the injustice of the rule in question to the Treasury without effect; and whether, in allocating the funds available this year for education in Ireland, provision will be made to enable this rule to be modified so as to treat ordinary assistant teachers on the same footing as those in model schools and training schools, and thereby give them some incentive to rise to a higher class?

MR. A. J. BALFOUR: Will the hon. Gentleman be good enough to repeat the question to-morrow?

MR. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the difficulty which has arisen in many cases in Ireland in obtaining sites for national teachers' dwellings; and whether the Government would assent to a Bill providing for the acquisition of such sites compulsorily?

MR. A. J. BALFOUR: It is a fact, I believe, that difficulty has been experienced, but I do not propose to submit a Bill to provide for the compulsory acquisition of sites.

MR. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is the fact that at examinations for results under the Irish National Board of Education the teacher is not allowed to see the questions put by the Inspector; whether a different rule prevails in England; and whether the Board will consider the advisability of modifying the Irish practice, which has given rise to great complaint?

MR. A. J. BALFOUR: The Commissioners of Education are not aware that such a practice prevails, and I believe that the rule followed is the same as that in England.

MR. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that considerable dissatisfaction exists amongst teachers with the reading books in use in Irish National Schools, as being unsuitable for children; how long is it since the books in question were compiled; and whether the National Board propose to modernise these books or revise them in any way?

MR. A. J. BALFOUR: The Commissioners of National Education report that from time to time dissatisfaction in the matter mentioned has been expressed, but that the books can hardly be described as unsuitable, seeing that 94 per cent. of the children examined in them in 1889 passed and earned result fees for their teachers. The books were compiled in 1867, and have since been improved from time to time. They are now undergoing a thorough revision.

IRISH FISHERIES.

MR. NOLAN (Louth, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a notice dated 22nd January was issued from the Office of Irish Fisheries, saying that a meeting would be held in the

"Court House, Carlingford, on Thursday, 12th February, 1891,"

to consider an application

"To be permitted to dredge for, take, and have in possession foreign oysters during the close season for oysters in Carlingford Lough,"

and that said meeting was postponed without due notice given to persons interested; whether a silimar notice, dated 7th May, 1891, has been issued to say that a meeting will be held in the same place for a like purpose on the 9th instant; and, whether, if said meeting is to be postponed, due notice will be given to persons interested?

MR. A. J. BALFOUR: The Inspectors of Irish Fisheries report that due intimation of the postponement was given by notices sent to the persons concerned and by publication in the Press.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any, and if so what, steps will be immediately taken to prevent the destruction of immature mackerel and hake on the southern and south-western coast of Ireland by British fishing boats?

MR. A. J. BALFOUR: The subject-matter of this question is at present engaging the attention of the Government.

DR. TANNER: Is it not a matter of urgency? Will not the Government, who are anxious to protect the Behring Straits fisheries, do something to protect the interests of the poor Irish fishermen?

MR. A. J. BALFOUR: I do not know whether legislation is possible in the case.

DR. TANNER: Has any attempt been made this Session to deal with the question?

MR. A. J. BALFOUR: No, Sir.

LAND DEPARTMENT (IRELAND) BILL.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will bring in the leaseholders' redemption clause of the Land Department (Ireland) Bill as an independent measure: and, if so, whether he will consider the utility of including in the measure the turbary clause of the Land Department Bill?

MR. A. J. BALFOUR: I should be ready to bring in the first clause mentioned as an independent measure, and to consider the propriety of adding to that clause the provision relating to turbary if I were assured that the introduction of the measure would not evoke opposition.

MR. SEXTON: I believe that there would be no material opposition to a Bill embodying the two clauses mentioned.

LABOURERS' COTTAGES IN IRELAND.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will give a Return of the appropriation of £40,000, voted last year in aid of the provision of labourers' cottages, by Irish Boards of Guardians?

MR. A. J. BALFOUR: The information required by the hon. Gentleman will be contained in the Annual Report of the Local Government Board, which will shortly be issued.

PROPOSED NEW COINAGE.

MR. SINCLAIR (Falkirk, &c.): I beg to ask the Chancellor of the Exchequer whether, in the instructions given to the artists for the preparation of new designs for gold, silver, and copper coinage, care has been taken to ensure that the value of each coin is expressed in words or figures upon it?

MR. GOSCHEN: The Memorandum furnished by the Committee on the Design of Coins to the artists invited to submit designs contains the following paragraph:—

"In the case of the florin the denomination should be expressed either on the obverse or reverse, but the indication of the value of the other coins is optional."

PORTUGUESE IN AFRICA.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the Under Secretary of State for Foreign Affairs whether, under the proposed Treaty with Portugal, Her Majesty's Government recognises as Portuguese territory both banks of the Zambesi from Zumbo up to the Katima rapids; whether the parallel of 18° 30′ south latitude is now adopted as the southern limit of Portuguese territory, instead of 16° as was fixed by the Convention of last August; whether a large tract of territory amounting to several thousands of square miles, the exploration of which has been almost exclusively British, and which was claimed as British in the Convention of last August, has now been recognised as Portuguese; whether the Treaty, if ratified, will prevent the northern boundary of the British possessions in South Africa reaching the Zambesi; whether the British sphere of influence north of the Zambesi will now be separated from British territory south of the Zambesi by possessions recognised as Portuguese; whether the Government of the Cape Colony has been consulted as to the proposed boundaries and provisions of the Treaty; and whether it has expressed its approval thereof?

SIR J. FERGUSSON: To this question I can only answer that until the Treaty has been signed its provisions cannot be disclosed. As none of the boundary lines with which it deals, nor the commercial and other provisions, affect the Cape Colony, the Government of that colony has not been consulted.

MR. BUCHANAN: Surely the right hon. Gentleman can reply whether the statement in my question is substantially accurate?

*SIR J. FERGUSSON: We cannot publish the Treaty in full, and I cannot therefore explain it by a process of exhaustion.

THE CHIEF SECRETARY ON THE STATE OF IRELAND.

COLONEL NOLAN (Galway, N.): I beg to ask the First Lord of the Treasury whether his attention has been drawn to the important statement made yesterday by the Chief Secretary to the Lord Lieutenant of Ireland as to the satisfactory condition of Ireland, and whether he will be prepared in consequence to remit the remainder of the sentences of Mr. J. Dillon and Mr. W. O'Brien?

*MR. W. H. SMITH: I have to confess that my occupation has been so incessant to-day that I have not read the speech of my right hon. Colleague, and that I am not aware of its contents.

COLONEL NOLAN: I wish to know whether, if the statement of the Chief Secretary that, as Ireland is quiet, the Crimes Act is no longer necessary has been made with the consent of the First Lord of the Treasury, he is prepared to remit the sentences of the prisoners?

*MR. W. H. SMITH: The hon. and gallant Gentleman may make any inquiry which he wishes from the Chief Secretary, and I have no doubt he will get a suitable answer. I have just been informed that the hon. and gallant Gentleman is slightly mistaken as to what the Chief Secretary said.

DR. TANNER: Is the right hon. Gentleman aware that the Chief Secretary was at the time addressing a crowd of dissentient females?

BUSINESS OF THE HOUSE.

Mr. SPEAKER laid upon the Table Rules, Orders, and Forms of Procedure of the House of Commons relating to Public Business, 1891.

PUBLIC HEALTH (LONDON) BILL *Consolidated from* PUBLIC HEALTH (LONDON) LAW AMENDMENT BILL *and* PUBLIC HEALTH (LONDON) LAW CONSOLIDATION BILL.

Reported from the Standing Committee on Law, &c.

Report to lie upon the Table, and to be printed. [No. 268.]

Minutes of Proceedings to be printed. [No. 268.]

Bill, as amended by the Standing Committee, to be taken into Consideration upon Monday next, and to be printed. [Bill 352.]

FACTORY LEGISLATION (REPORTS FROM FOREIGN GOVERNMENTS.)

Address for—

"Copies of Reports from Her Majesty's Representatives abroad on the measures which have been taken by Foreign Governments to give effect to the recommendations of th Berlin Labour Conference."—(*Sir William Houldsworth.*)

ELEMENTARY EDUCATION (FEE GRANT).

Committee to consider of making further provision, out of moneys to be provided by Parliament, for assisting Education in public Elementary Schools in England and Wales (Queen's Recommendation signified), upon Monday next.—(*Mr. Chancellor of the Exchequer.*)

FACTORY AND WORKSHOPS ACT (1878) AMENDMENT BILL.—(No. 2.)

Order [26th February], for committing the Bill to the Standing Committee on Trade, &c. read, and discharged.

Bill withdrawn.

NEW MEMBERS SWORN.

William Dunn, esquire, for Borough of Paisley; Sir Reginald Hanson, baronet, for City of London.

MOTIONS.

MARKETS AND FAIRS (WEIGHING OF CATTLE) BILL.

On Motion of Mr. Chaplin, Bill to amend "The Markets and Fairs (Weighing of Cattle) Act, 1887," ordered to be brought in by Mr. Chaplin, Sir Michael Hicks Beach, and Mr. Long.

Bill presented, and read first time. [Bill 353.]

RUSSIAN DUTCH LOAN BILL.

On Motion of Mr. Chancellor of the Exchequer, Bill to make provision for paying off the British portion of the Russian Dutch Loan, ordered to be brought in by Mr. Chancellor of the Exchequer and Mr. Jackson.

Bill presented, and read first time. [Bill 354.]

ORDERS OF THE DAY.

SEAL FISHERY (BEHRING'S SEA) BILL.—(No. 345.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

(4.42.) MR. A. STAVELEY HILL (Staffordshire, Kingswinford): I beg to move to add, after "Order," "if the Legislature of the Dominion shall consent to such prohibition." The persons most concerned are the Canadians, and they are by no means consenting parties to this measure. The Americans require that they should be allowed to kill 7,500 seals on their own account. Whatever number of seals they claim to kill, they ought to kill in the open seas and not in the rookeries. These 7,500 seals are not to be killed for food for the islanders. But the United States state that they keep 300 Aleutian islanders in the seal fisheries; and if the prohibition is to affect them, they will have themselves to keep these servants of theirs, and for their wages will have to pay some £20,000. A more monstrous claim could not be put forward. If there is to be any claim at all, it should be made by the Victorian fishermen.

Amendment proposed, in page 7, line after 1, the word "Order," to insert the words "if the Legislature of the Dominion shall consent to such prohibition."—(*Mr. A. Staveley Hill.*)

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I regret that my hon. and learned Friend is not satisfied with the assurance which the Government has given. I said distinctly on the Second Reading that the Government could not assent to the introduction of these words. The Dominion has a right to legislate so far as her own people are concerned, but she has no right to legislate for the British Flag. The Behring Sea is some thousand miles away from Canada, and the Canadian Government have received every assurance that compensation shall be given to any British subject who, it can be shown, will suffer loss. Her Majesty's Government hope that the British losses will be a great deal less than my hon. and learned Friend supposes. The destruction of 7,500 seals is considerable, but we are willing to consent to that proposal in order to put an end to a serious danger.

MR. A. STAVELEY HILL: After the assurance given by the right hon. Gentleman, I shall not proceed any further with my Amendment.

MR. BRYCE (Aberdeen, S.): I think the Government ought to afford us some

information as to what has passed between them and the Canadian Government on the subject, and the nature of the terms that have been arranged. I think, moreover, that we ought to press Her Majesty's Government for an assurance that no Order in Council will be issued until a satisfactory arrangement has been arrived at.

*(4.46.) MR. W. H. SMITH: Communications have been going on upon the subject within the last fortnight, and Her Majesty's Government have satisfied themselves that the Dominion Government have accepted the views I have already indicated. I will endeavour to give the House further information on the subject as soon as possible, but at the present moment the information is not in a complete form.

SIR G. CAMPBELL (Kirkcaldy, &c.): I think we ought to have a more explicit assurance than we have yet received on the subject of compensation. I hope the Government will take care that there is no ambiguity in the assurance they may give on this subject. What I particularly want to know at the present moment is whether the Government have accepted the principle that we are to pay the compensation. On a former stage of this Bill we were assured that the feelings of the taxpayers of this country would be carefully considered. Therefore, I hope that if the principle of compensation is accepted, the burden will not be thrown upon the taxpayers of this country. I hope the Government will see that no injustice is done to the British taxpayers in this respect.

Amendment, by leave, withdrawn.

Clauses 1 and 2 ordered to stand part of the Bill.

Clause 3.

*MR. G. OSBORNE MORGAN (Denbighshire, E.): I should like to ask, with reference to the phrase "marine animals," whether it is not too vague. It would include whales, or indeed any kind of fish.

*MR. W. H. SMITH: The phraseology of the clause has been carefully considered, and these words have been deemed necessary; but, of course, Her Majesty's Government do not intend to prohibit the catching of whales.

Clause agreed to.

Schedule agreed to.

Bill reported without amendment.

*MR. W. H. SMITH: I hope the House will allow the Bill to be read a third time now. The measure is one of great importance, and it is very desirable that no delay should take place.

SIR W. HARCOURT (Derby): I cannot but concur with the First Lord of the Treasury in hoping that no objection will be taken to the course he has suggested. I wish, however, to ask the right hon. Gentleman if he will lay on the Table of the House the communications which have passed between Her Majesty's Government and the Government of the Dominion?

*(4.50.) MR. W. H. SMITH: The painful circumstances in which the Government of the Dominion are placed rendered it impossible for us to hold regular official communications with them, and those which had passed were sufficient to satisfy us that the Dominion Government were consenting parties to the proposals we had made to Parliament, subject to the concession of compensation to British subjects for any loss they could be shown to have sustained by reason of the prohibition, and to the acceptance of the terms of arbitration by the United States Government.

MR. SEXTON (Belfast, W.): I hope the right hon. Gentleman the First Lord of the Treasury will appreciate the forbearance of the Irish Members in not opposing the Third Reading of the Bill.

Bill read the third time, and passed.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 342.)

CONSIDERATION. [ADJOURNED DEBATE.]

As amended, to be further considered.

Order read, for resuming Adjourned Debate on Question [2nd June], "That the Clause (Jurisdiction of Land Commission, 40 & 41 Vic., c. 57,)—(*Mr. Knox,*)—which was offered to be added on Consideration of the Bill, as amended," be now read a second time.

*(4.55.) MR. KNOX (Cavan, W.): The Attorney General opposed this clause last night, on the ground that he objected to piecemeal legislation on the subject of a Land Department. I admit that there is reason in his contention, and I do not think it necessary to ask

the House further to debate this clause. Therefore I ask leave to withdraw it.

Motion and Clause, by leave, withdrawn.

*Mr. T. W. RUSSELL (Tyrone, S.): I beg to move the clause which stands in my name as to the purchase of lands by tenants formerly in possession of holdings. I have ventured to put this clause on the Paper with a view of arriving, if not at a satisfactory conclusion with regard to the whole question, at any rate at a reasonable solution of the difficulty at the present moment. I can conceive that four objections may be urged to the clause I have now ventured to move, two of a minor character and two of a serious nature. The first objection is of a minor kind, and has reference to the limitation of the period to five years. I admit that a good deal can be said against that limitation; but still I call it a minor objection. The second minor objection deals with that part of the clause which provides that if this clause is to be taken advantage of this should be done within six months of the passing of the Act. I think that this is a point which should be dealt with as speedily as possible, and I demur to the allowing of such an arrangement to hang over either for a year or for an indefinite period. The first serious objection to the clause is that which would be taken by the hon. Member for the Eccles Division of Lancashire as to the initiative in this matter being left to the landlord. But it should be borne in mind that the landlord is in possession of the lands, and that the ex-tenant has sacrificed any equitable claim that might be urged on his behalf. The objection, however, is not a practical one, because the landlord on those estates would be as anxious to come to terms as the ex-tenant. The last objection is that the clause only deals with vacant land and not with the tenanted land. I think I may say that the clause goes as far as it is safe to go and as far as the House will be willing to go. So far as the Plan of Campaign Estates are concerned, possessing as I do pretty accurate knowledge of what has taken place upon them, I venture to say that not more than 50 settlers or planters will be found on them. It is quite true that a great many evicted farms are still untenanted. But so far as the tenanted holdings are concerned, there would be enormous difficulty in bringing them under the operation of this clause. I do not see how, at this time of the Session, and in view of the possibilities in another place, it will be possible to touch the question of tenanted land. This clause deals with evicted farms in the hands of landlords, or derelict, or held by caretakers, and I say that that is going a considerable distance in the direction hon. Members wish to go. I believe it would settle three-fourths of the Campaign Estates. It is not possible to settle all those estates. One estate, for instance, has been actually sold under the Ashbourne Act, and is consequently past dealing with entirely. I do not know, too, whether it is of any use hoping anything can be done with the Clanricarde Estate. This clause, however, would certainly meet the cases of the Ponsonby, Olphert, and Clongorey Estates. Now, the present position of the landlords is this: Before they can come to terms as to purchase, the tenants must be re-instated, for until that is done the Land Commission will not hear any motion for approving any agreement. My clause proposes, however, that the landlord and his ex-tenant may come to an agreement without previous re-instatement, and that the Land Commission shall then be empowered to hear and consider applications. I have also inserted a provision that in cases where, owing to the temporary depreciation of the land, due to its having been left derelict, the Land Commission may deem the security insufficient, the Land Commission may take from the purchaser collateral security. I think this will facilitate many sales that might otherwise be prevented. In conclusion, I desire to explain that I do not move this clause as an act of justice, nor do I say anything as to mercy. I move it because I think it will afford a fair chance of securing an honourable settlement of these matters. I do not talk of mercy; but I agree entirely with my hon. Friend the Member for Flintshire, that these men have been misled and many of them ruined. I have always taken a strong line against the Plan of Campaign, but I am anxious and willing, upon fair and reasonable terms, to bring the fight to a close.

think that this is a clause which the Government can accept with credit, and with honour, and I hope it will not be marred by the fact that I move it. I ask hon. Members below the Gangway to believe that I have no possible political capital to make out of this clause. The certainty is that I shall be misunderstood in the country and by my own constituents. But I believe the time is opportune for a settlement, and I hope the House and the Government will not allow any personal feeling to interfere with it.

New Clause—

(Purchase by tenants formerly in possession of holdings.)

"(1.) When the tenancy of a holding has been determined within five years before the passing of this Act, and the former landlord or his successor in title is in occupation of the holding, it shall be lawful for the former landlord or his successor in title, within six months of the passing of this Act, to enter into an agreement under the Land Purchase Acts as amended by this Act for the sale of the holding to the former tenant or his personal representatives.

(2.) An advance for such purpose may be made by the Land Commission, in the same manner and subject to the same conditions as if the purchaser was at the date of the agreement in possession of the holding as tenant, and thereupon all the provisions of the Land Purchase Acts as amended by this Act shall apply to such agreement and advance.

(3.) If the Land Commission are of opinion that the holding would be sufficient security for the advance but for its having become temporarily deteriorated in value, they may make the advance upon the purchaser giving such security as they may deem sufficient to meet any risk arising from such temporary depreciation,"—(*Mr. T. W. Russell,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

(5.8.) MR. SMITH-BARRY (Hunts' S.): I said the other night that if a clause properly drafted were introduced to deal with this important question I, for one, certainly would not oppose it. I think my hon. Friend the Member for South Tyrone has now proposed such a clause, and I sincerely hope Her Majesty's Government will see their way to accepting it. I know it does not meet all the wishes of hon. Members opposite, but it will, I think, open a very fair and proper door to the evicted tenants to enable them to get back into their holdings by purchasing under this Act. It opens a much wider door than did the proposal of the hon. Member for West Belfast, for he only wanted to prevent fixing in their holdings men who have taken evicted farms. His clause did nothing to bring about a settlement with the ex-tenants of derelict and unoccupied farms. This clause properly safeguards those new tenants who have taken evicted farms. I certainly would strongly oppose any proposal which was likely to interfere with those men who, at great risk to themselves, have taken and are occupying and working evicted farms. I think it affords the best way of getting over the difficulty in connection with the evicted tenants. A settlement of the disputes on the Plan of Campaign Estates is an exceedingly difficult and delicate matter, and I always have thought that the best method of settlement is by some system of purchase. Some two years ago I suggested purchase under the Ashbourne Acts as a settlement of the dispute on the Ponsonby Estate, because I considered that the best and easiest way out of the trouble. I hold now to the same opinion. I therefore cordially support this clause, which has been moved by my hon. Friend. With regard to the five years' limit, which is, after all, but a minor point, I think that possibly a better plan would be to fix some definite date. As to the provision that all applications shall be made within six months, I think that a very desirable condition, for landlord and tenant ought to be able to come to terms within that time; and if they are not coming to terms, it is most undesirable to encourage the evicted tenants to continue living in the neighbourhood of their old holdings in the hope of a settlement which will never come. It would be much better for them to go and try to earn an honest livelihood elsewhere. My hon. Friend spoke on behalf of the tenant farmers of Ireland. I, as a representative, not of the Irish tenant farmers, nor of the Irish landlords, but of the British taxpayers, also approve the provision with regard to collateral security in cases of farms which have depreciated in value owing to their being left derelict. I think the Land Commission will be bound to see that any evicted tenants who may become purchasers under the Act will be able to give such security

as will ensure that the British taxpayer will not suffer.

(5.15.) MR. SEXTON (Belfast, W.): I recognise the spirit in which the clause has been moved by the hon. Member for South Tyrone; but there are some criticisms I should like to make. The hon. Member did well not to speak of mercy, because there are two sides to the case. This is, we think, a case for the exercise of justice and mercy. The hon. Member seems to think that by his present action he will expose himself to misunderstanding. I fancy there are few incidents in his career more satisfactory than his conduct in bringing in this clause. I am glad that the hon. Member has, on reflection, abandoned the view that the evicted tenants ought to be treated as paupers. In the last Debate he spoke of them as paupers.

*MR. T. W. RUSSELL: Many of them.

MR. SEXTON: And intimated that that penalised their position, and offered a reason for not admitting them to the benefits of the Act. If these tenants have no money, they have, at any rate, the sympathy of their fellow-countrymen, and certainly will be as good security as the persons generally planted on evicted farms in Ireland. The Amendment is open to the same objection of incompleteness as the Chief Secretary urged against the clause I moved. The landlords may be willing enough to take back the tenants on the vacant farms, and yet refuse to take back the tenants on the farms for which they had found new occupiers. My own clause provided that the supplanted tenants should be taken back; and if that had been passed, it would have naturally followed that the evicted tenants whose holdings are still vacant would be taken back. Unless provision be made for the tenants whose farms have been "grabbed," there will be a serious impediment to the operation of the Bill, for public feeling in Ireland will not be allayed. The condition of the evicted tenants whose farms have been taken by the land grabbers or planters constitutes the *crux* of the Irish question. So long as they remain out of their holdings, I greatly fear the Act will not work smoothly. I fear the hon. Gentleman is beginning at the wrong end. Does it not occur to him that if his proposal be not supplemented in the manner I suggest Parliament will be open to the reproach that the interest of the landlords has been its only consideration. You propose to deal with the cases in which the landlord is suffering heavy and continual loss. You propose to facilitate an arrangement between him and the evicted tenant in cases in which he has found it impossible to sell or let the farm, but you will not go into the case of those tenants who have lost their holdings, and whose farms have been taken by grabbers. When the Chief Secretary, in speaking at St. George's Hall on Wednesday, adopted the tone of a conqueror, he went rather beyond the fact. He succumbed to a natural temptation. He was speaking to a peculiar audience, an audience inclined to enthusiasm rather than to criticism. Here, however, we are better qualified to be critical than to be enthusiastic. The clause of the hon. Member for South Tyrone is the best answer to the right hon. Gentleman's contention that he is having it all his own way in Ireland; for, on the hon. Member's showing, of the farms rendered vacant during the last five years, three-fourths are still vacant, and that five years is the period during which the right hon. Gentleman was mainly responsible. What becomes, then, of the interesting observations of the right hon. Gentleman at St. George's Hall? Why, the fundamental object of his Coercion Bill was to put an end to the boycott and intimidation which kept the farms vacant! Yet, after five years coercion and all his elaborate, costly, and cruel policy, three-fourths of the farms are still vacant. Surely that should diminish the effect of the right hon. Gentleman's eloquence. The clause practically proposes that the Land Commission shall be able to treat evicted tenants, for the purposes of purchase, as though still in actual possession. This may ease the situation, but the proposal is of greater value as showing the desire of the Legislature that the landlords of the derelict farms shall come to terms with their tenants. The five years' limit which the hon. Member proposes will really operate in favour of those tenants whom the hon. Member regards as least meritorious, namely, the Plan of Campaign tenants. He says that the

tenants who engaged in what he calls a criminal conspiracy should receive special consideration, but that the tenants who lost their holdings in previous years through poverty are still to be excluded from the benefits of the Act. By drawing any limit at all landlord and tenant are both injured, and the tranquillising effect of the Bill is marred. If there is a landlord willing to sell, and an evicted tenant willing to purchase, why in the name of common sense should these people be prevented from coming together by the terms of the Bill? It would be to every one's advantage that the transaction should take place, and to the advantage of nobody that the transaction should be forbidden. The hon. Member for South Hunts spoke as if the drawing of this line would prevent the evicted tenants remaining near their holdings in the future. But it will not prevent those evicted more than five years ago still hanging about the locality. As to the six months, why should that hard and fast line be drawn? We know the tenants cannot make bargains alone. I am sorry that, by an after-thought which differs from the proverbial after-thought, in being not better, but worse than the first thought, the right hon. Gentleman has brought forward an Amendment which will greatly embarrass the operation of this Amendment if it be carried into law. He proposes that if the holding has deteriorated the advance may be made on the basis of the undeteriorated value; but that the tenant, on buying, is to be obliged to give additional security to the Land Commission for the advance made to him. Let me point out, as a practical matter, that the permanent value of the farm is not deteriorated by the absence of the tenant. The only deterioration, as far as I can see, will be the deterioration of the house, which was not built by the landlord. For goodness sake treat the question reasonably, and from the point of view of common sense; and if you determine to take back these evicted tenants treat them as men in regard to whom the general principle of the Bill may be pursued, and not more stringently than you treat the other tenants. The planters are few in number, and those who have taken farms other than on the evicted estates are usually men with other means of living. I do not propose to ask the House to withhold compensation. I assume that the planters would all be willing to quit on obtaining compensation; I think it highly likely they would be. These people, detested by the people about them, and living a most inconvenient and disagreeable life, would, I think, be very glad to go for reasonable compensation; but, if necessary, I am willing to consider an Amendment providing that no tenant shall be asked to go unless he is willing. Where is the compensation to come from? I propose that it shall come from the Irish Church Temporalities Fund. That is a fund which by common consent is applicable to national purposes, and I say that never was the application of a fund for national purposes more urgently needed than in the present case, when it would restore tranquillity to convulsed districts and consolidate the elements of social order in Ireland. Let me point out that it is only the interest of the Church Surplus Fund that the right hon. Gentleman uses for the congested districts; and even if you take a considerable sum out of the fund for the purpose of this Amendment, it would not materially affect the matter. My proposal is that the Land Commission shall treat with the evicted tenants subject to the willingness of the new tenants to go; and that if they do go, they shall be paid compensation out of the Church Surplus Fund. The number of evicted tenants during the last 10 years has been largely diminished by death and by emigration—for a great number of them have to be included in the 700,000 persons whose flight from Ireland during that period is a proof of the success of British rule. I do not think that the principle of compensation, administered in a judicial manner, would make any substantial diminution in the amount of the fund, and I most earnestly press the proposal on the attention of the House. I am satisfied that if it be accepted the effect will be to give us a conclusive guarantee that the policy of the right hon. Gentleman the Chief Secretary will be attended with success.

(5.40.) SIR W. HARCOURT (Derby): I am sure we shall all feel that we have now come to a very important chapter of this question, and that, to a great extent through the exertions of the hon.

Member for West Belfast (Mr. Sexton), there is a prospect of a fair settlement of it. Unjust imputations have been cast upon gentlemen representing Irish constituencies to the effect that they have been guilty of obstruction. But for the firm stand that was made in the Debate on Tuesday night upon the subject of the evicted tenants, it is not very likely that proposals of the character now before the House would have been made—proposals which alone can give a hope of peace to the warfare which has so long been waged between landlord and tenant in Ireland. I hope the offer that has been made will be accepted. That the Government should have proposed this Bill without any provision dealing with the evicted tenants is most surprising. I certainly expected that they would have seen that of all questions relating to Ireland this is the one which most needs settlement, and that a proposal of this kind should have come not from the authors of the Bill, but from the opposite side of the House, is an astonishing fact. However, we have now arrived at this stage—that it is universally admitted that the tenants evicted in consequence of the Plan of Campaign are men who ought to receive consideration at the hands of this House. If we can by any means get rid of this great source of irritation, it will be wise to do so, and I would recommend the Chief Secretary, if he wishes to give peace to Ireland, to deal with the matter, and to deal with it in no grudging or niggard spirit. What is the use of endeavouring to remove this mischief unless you remove it entirely? and if you leave outlying sources of irritation, you will have conceded a great deal and accomplished very little. I was much struck with what the hon. Member for West Belfast meant when he pointed out that if you take only the Amendment as it is proposed by the Member for South Tyrone it will appear to the Irish mind you have only made provision for those cases where the landlord will benefit. I suppose you really wish that the derelict farms shall be occupied. You must remember that there is a feeling of brotherhood between these men, and they will not occupy derelict farms when those whom they regard as their brothers are left out in the cold. If you are going to deal with this matter in a really statesmanlike manner, with a desire to close what the Member for South Tyrone called a strike, it is desirable you should close it altogether, and in a liberal manner. I am not going into the details of the Amendment proposed by the hon. Member for West Belfast; we are now only dealing with the general question, recognising, I do not know what you call it, the rights or interests. I hope no language will be held upon either side that will be provocative as regards the landlords, or derogatory as regards the tenant, or that will prevent a settlement of the question. I trust we shall all recognise that there are interests on both sides which ought to be conciliated. I have been told by those who have the most intimate knowledge of the Irish Question, that if this matter of the evicted tenants is not dealt with, and if the sore is not healed, there will be great dangers in the future. I only rose to heartily support the Second Reading of this clause, as I would support any clause the object of which is to recognise the interests of the evicted tenants, and I think it is a proof how opinions may be coming together that the Member for South Tyrone should be the special advocate of the interests of the tenants evicted under the Plan of Campaign. That being so, I hope the Government will agree in the principle of reinstating the evicted tenants, or placing them in a position to purchase, and then they can proceed to consider upon the clause itself how far it shall go, and the further it can go safely the better it will be. I do not quite understand the Member for South Tyrone when he said his object was that the former tenant should be in possession without being reinstated. Why should the former tenant not be reinstated and put on the same footing as other tenants in regard to purchase? I see the hon. and gallant Gentleman (Colonel Waring) smiles. I suppose he is of opinion that the landlord should not have to reinstate a tenant unless he is certain of getting money for the purchase. I do not think that is a spirit in which to regard this question. If the landlord says, "The tenant may be reinstated if I can get the money, but he shall not if I cannot get the money," I cannot conceive any spirit more odious or one more likely to interfere with a good settlement. But

these are matters which doubtless will be fully discussed by gentlemen who have a great familiarity with the subject.

(5.50.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): It is certainly a most remarkable fact that the right hon. Gentleman never takes part in a Debate, however much previous speakers have endeavoured to remove it from the arena of Party politics, without bringing it into that arena. The right hon. Gentleman must be perfectly well aware that Gentlemen in every quarter of the House have taken part in the Debate, and that although we have sometimes been most bitterly engaged in controversies on the Irish Question, they have one and all abstained, as far as they could, from saying anything in Debate which would introduce bitterness of spirit or anything in the nature of Party feeling. It is reserved to the right hon. Gentleman——

SIR W. HARCOURT: What have I said?

MR. A. J. BALFOUR: It is reserved to the right hon. Gentleman to come down this afternoon, and in the intervals in which he is not engaged in imploring the Government to treat this subject in a broad and generous spirit, he takes the opportunity to say as many things as he can to irritate Party feeling, to say as many things as he can to try to twist the Amendment into a triumph for a certain section of Irish tenants, and altogether to convert this, which, in the opinion of the authors and supporters of the Amendment, is intended to smooth away and heal differences, into some wretched capital for his own purposes. The right hon. Gentleman thought fit to denounce the authors of this Bill for not having themselves introduced a clause relating to the evicted tenants. But surely evicted tenants are not a new phenomenon in Ireland? There were evicted tenants in 1886. There were the tenants evicted under the No Rent Manifesto. Did they not require to have justice done to them? Did they not require to have the great principle recognised that every evicted tenant ought to be put back under terms highly favourable? Was not the right hon. Gentleman joint author of a Bill in which there was no allusion, however distant or remote, to any evicted tenant? As a matter of fact, the right hon. Gentleman has not misrepresented the action of the Government in the course of this Debate merely in the particular to which I have just referred. The right hon. Gentleman has told us that this Amendment is the fruit of the discussion on Tuesday last. That is not the case. I may remind the House of what has occurred. In the Committee stage of the Bill there was an Amendment down in the name of the senior Member for Cork, on very much the lines of the suggestion made on Tuesday night by the hon. Member for the Eccles Division. That embodied two principles. One was the principle embodied in the present Amendment; the other was a proposal that the evicted tenant should be allowed to buy over the head of the sitting tenant where there was a sitting tenant. No ruling was given or asked for on the point in the Committee, but it was understood that the Amendment was not in order.

MR. PIERCE MAHONY (Meath, N.): I think the right hon. Gentleman is not quite accurate in his description of the second part of the Amendment of the senior Member for Cork.

MR. A. J. BALFOUR: I may have forgotten the exact terms of the second part of the proposal. It was the first proposal that remained in my mind, and it was considered by a large number of gentlemen to be out of order, and it was not moved because it was thought it was out of order. Therefore this Amendment was put on the Paper by my hon. Friend on Tuesday, not in consequence of the Debate on Tuesday, but in consequence of the ruling of the Speaker on Tuesday in response to an appeal from me when I asked whether the suggestion of the hon. Member for the Eccles Division would not be out of order. It was ruled that it would be in order, and it is in consequence of that ruling that the Amendment is now down upon the Paper and has come up for discussion in the House. Therefore the account given by the right hon. Gentleman of the genesis of this Amendment is wholly inaccurate. I do not mean to go now into the details raised on this Amendment. Objection has been taken to this clause in one or two particulars. I will give the opinion of the Government on those particulars when they come up

in Debate after the clause has been read a second time. For the present, it is sufficient to say that we should incur a great responsibility if we resisted the clause of my hon. Friend the Member for South Tyrone, representing as he does a large body of tenants in the North of Ireland, and especially as my hon. Friend is supported by the hon. Member for South Hunts, who has been engaged in one of the most serious of these controversies, and by the hon. Member for West Belfast, who, speaking from a different point of view, has given his adhesion to the general principle of the clause. A clause so supported naturally commends itself to the Government. It appears to me it will benefit the peace of a district by leading to a settlement on Plan of Campaign estates, it will be for the benefit of ex-tenants where no new tenants have come into the holdings, and the right hon. Gentleman is not wrong in saying it is eminently calculated to assist those landlords from whose estates those tenants have been evicted. I am glad it benefits the tenants and the locality, and I am very glad it benefits the landlords. I am very glad it will give to those gentlemen who have been the victims of an illegal and criminal conspiracy an opportunity——

SIR W. HARCOURT: Oh, oh!

MR. A. J. BALFOUR: Does the right hon. Gentleman object to doing anything for the landlords?

SIR W. HARCOURT: I only emphasized the "irritating language" of the Chief Secretary in relation to this conciliatory proposal.

MR. A. J. BALFOUR: I do not dwell on the fact of the criminal conspiracy, but that the Plan of Campaign was a criminal conspiracy everybody knows, and it has been abundantly proved.

MR. GILHOOLY (Cork, W.): Justified by the action of the landlords.

MR. A. J. BALFOUR: I am not discussing that; I only say that the landlords having been the victims of what has been admitted to be a criminal conspiracy, I rejoice to think that this clause will serve their interests. It is for the reason that everybody has to gain, and nobody has to lose, by the clause, that I recommend the House to read it a second time. I shall be prepared at a later stage to state the views of the Government on various points of detail.

(6.2.) MR. PIERCE MAHONY: I appreciate the spirit in which the hon. Member for South Tyrone has moved this clause, and I particularly appreciate his remark that it offers a means of settlement honourable to both parties. The right hon. Gentleman the Chief Secretary has given a correct account of the origin of the clause. It is almost identical with one of the clauses, or a portion of one of the clauses, moved by the senior Member for Cork at an earlier stage of the Bill, and if I am asked why my hon. Friend did not put down the whole clause for this stage of the Bill, I should say it was because it would be out of order to deal with the whole case of the evicted tenants now. He considered, and I think rightly considered, that the question of the evicted tenants could not be thoroughly dealt with at this stage, and that it would be wiser to deal with the question in as full a manner as it can be dealt with by the clause of the hon. Member for South Tyrone. The right hon. Gentleman has asked why the tenants could not be reinstated first and the bargain be made between them and the landlords afterwards. Now, as the law stands at present, so far as regards the sales to tenants under the Purchase Act, there is nothing whatever to prevent the landlord reinstating them and then coming to a bargain. Not only is there nothing to prevent it, but it is a situation that has frequently occurred; the evicted tenant has been reinstated and the land sold to him under the Ashbourne Act. The fact is that when the tenant is reinstated he is in a much better position to make an equal bargain with the landlord. I maintain that the position would be greatly improved by the insertion of the second clause proposed by my hon. Friend the Member for Cork, which would be out of order if proposed at this stage, the clause in which he held out an inducement to Irish landlords to reinstate their tenants, offering them, under certain circumstances, a sort of compensation for so doing. I wish it to be clearly understood that, though we assent to this clause, it does not completely meet our wishes, and only does part of the work. I would earnestly press upon the

Chief Secretary still to consider in what manner he could introduce some clause offering some inducement to landlords to reinstate evicted tenants in their holdings independently of the question of purchase. There are many estates which cannot be sold at the present time, the owners not being in a position to sell, and which cannot be sold except under a compulsory Act, and it will be very hard that a distinction should be made in the position of evicted tenants, because on one estate the landlord is not in a position to sell, and on another estate the landlord is in very different circumstances. Then with regard to the five years' limit——

*MR. T. W. RUSSELL: I do not insist on that.

MR. PIERCE MAHONY: The hon. Member will meet the objection on this point, and I suppose that applies also to the six months' limit.

*MR. T. W. RUSSELL expressed a negative.

MR. PIERCE MAHONY: Six months is a very brief interval, but I reserve my remarks on these details to a subsequent stage. I shall cordially support the Second Reading of the clause, and I am very glad indeed that from all sides of the House it has been approached in this spirit, and I think it indicates a probability that before very long we shall arrive at a full settlement of the question of the evicted tenants.

(6.10.) MR. JOICEY (Durham, Chester-le-Street): I have not taken part in the discussion of the details of the Bill, and I am thoroughly opposed to land purchase where an English guarantee is given; but perhaps I may be allowed to express my view on this most important Amendment now before us. The question with which we are now dealing is perhaps the most important part of this great measure. The object of the Bill, as stated by the Chief Secretary, is to bring peace to Ireland so far as the land question is concerned, and I consider that any measure professing to deal with the land question by a great scheme of land purchase, and which did not contain a provision by means of which evicted tenants could be restored to their holdings, would be most imperfect. In relation to these evictions and disputes upon Irish estates, we have had many illustrations of similar difficulties in the ordinary trade disputes in this country. I have always looked upon the disputes on the Plan of Campaign estates much in the same light as I regard strikes in the large industrial concerns of this country. Again and again have we seen cases where, after the difficulties have been settled, the "blacklegs," if I may be allowed the vulgar expression, and I do not wish to do so offensively, have been sent back to the places whence they came, and the old hands reinstated, the "blacklegs" being allowed something by way of compensation. I think the same principle would be wisely applied to the case of the evicted tenants, and perhaps one plan of providing such compensation would be that some addition should be made to the value of the holding—it might be one year or two years, or the question might be left to the Land Commission. I am glad to find that even hon. Members like the hon. Members for South Tyrone and South Hunts, who have taken active parts against the Plan of Campaign, recognise that something should be done for these evicted tenants. It is clear that the question of purchase cannot be satisfactorily settled unless you have this point in view. I think it would be wise for the Chief Secretary to adopt the suggestion made a few minutes ago, that before accepting this clause he should give the matter further consideration, and see if he could not bring up another clause having a wider application than this clause has. It is in the interest of good government in Ireland that the question of evicted tenants should be settled on such a basis as will prevent difficulties in the future. I share with the hon. Member for West Belfast the feeling that it would be unfair to many of these men who have taken possession of evicted farms, and have worked upon them for some time, that they should be evicted therefrom without compensation, and I suggest the method of compensation to which I have alluded—an addition to the value of the holding and a repayment over the 49 years in the instalments. I believe the tenants who are most anxious to return to their holdings would be willing to consent to some such scheme, and the opportunity is offered to effect a settlement of one of the greatest difficul-

ties the Government have ever had to deal with in Ireland.

*(6.16.) MR. KNOX: The Chief Secretary in his remarks just now, which were of a particularly irritating character, did not admit that any credit for this clause is due to my hon. Friend the Member for West Belfast, and he said that it arose out of your ruling, Sir. But how, I ask, could that ruling have been obtained if my hon. Friend had not persisted, running the risk of accusations of obstruction, in raising again and again this question of the evicted tenants? My hon. Friend persisted, and he found that though but little of what we think ought to be done can be done in view of the relation of parties in this House, he found at last that something could be done, and I may add that this something may be of considerable value if it is clearly put forward as the wish of the Government that this clause should be taken advantage of by landlords—if it should be supplemented by what a former Chief Secretary once called "pressure within the law."

*(6.18.) MR. SHAW LEFEVRE (Bradford, Central): This is a question in which I have ever taken a deep interest, and I cannot but express my satisfaction that the Government have admitted the clause as it at present stands. The success of the clause mainly depends upon the spirit in which the landlords of Ireland receive and act upon it. I cannot but hope that, having regard to the almost unanimous expression of opinion we have had, that the clause will be so accepted. I venture to hope that when we come to the discussion of details the Chief Secretary will be prepared to entertain the proposal of the hon. Member for West Belfast, and I can assure the Government that unless they can see their way to do something in that direction they cannot effect a complete settlement in this matter. The number of cases in which holdings have been made over to other tenants in place of the evicted tenants is comparatively small; but, however few the cases, they are unimportant, and the clause should not leave the House without such an extension as the hon. Member has suggested. However, matters of detail have to be dealt with later, and at present I have only to say that I view with great satisfaction the consent of the Government to the clause being read a second time, the spirit and tone of the speeches of the right hon. Gentleman the Chief Secretary, the hon. Member for South Hunts (Mr. Smith-Barry), and other representatives of the landlord class who have spoken.

Question put, and agreed to.

Clause read a second time.

(6.20.) MR. SEXTON: I now propose to leave out the limitation of time in the 1st sub-section. I was struck by an observation of the hon. Member for South Hunts in the Second Reading Debate, when he spoke of the danger of evicted tenants remaining in the district after eviction. Now, may I point out to the hon. Gentleman, and all who take an interest in the discussion of this clause, that if this limit of time is allowed to remain, evicted tenants will be divided into two classes—those evicted within the last five years and those evicted at an earlier period. The tenants evicted within the last five years will be allowed by the use of the credit of the State to return to their holdings, while those evicted at an earlier date, no matter how hard may have been the circumstances of their eviction, will be shut out from all participation in this advantage. There will be a danger that while the one class goes back to their holdings, the others will remain hanging about their old homes, to the detriment of the landlord and the tenants upon the estate. Generally speaking, the further back the eviction was the more reason is there that the tenant should be reinstated. If the eviction occurred 10 years ago, and the evicted farm has remained vacant ever since, the prospect of the landlord finding another tenant is obviously very near the vanishing point. Therefore, even in the landlords' interest alone, though I hope the House will not leave the tenants' interest out of view, but taking the landlords' interest as for the moment predominant, it is necessary that this limit of time should be removed. An evicted farm in Ireland means trouble to the Government, extra police, possibly outrage, extra cost in maintaining prisoners, and otherwise; the landlord loses the rent, and is put to expenses for caretakers, while the evicted tenants'

existence is made miserable. It is not the time but the fact of eviction that is material.

Amendment proposed, in lines 1 and 2, to leave out the words "within five years."—(*Mr. Sexton.*)

*MR. T. W. RUSSELL: We cannot leave the provision without some limit. We felt in framing the clause a line must be drawn somewhere. I admit that five years will not cover all the evicted tenants, and if it will shorten discussion I am quite willing to insert ten years instead of five.

MR. SEXTON: If I may be allowed a suggestion, evictions on a large scale began in 1879, and if the hon. Member will say 12 years there need be no further discussion upon the point.

MR. MACARTNEY (Antrim, S.): I have already expressed my opinion against the introduction of such a clause and have nothing to add, but, since we are to have the clause, let us make it as little defective as possible. I agree that it is inexpedient to maintain the limit of five years, but the difficulty is what period shall be allowed. According to the principle of the hon. Member for West Belfast, we might go back to the Norman Conquest. It appears to me that it would be more convenient to name a period when a fresh departure in legislation took place than to have a fixed period of years. I would suggest the period should be since the passing of the Land Act, 1881.

*MR. T. W. RUSSELL: May I point out to my hon. Friend that there is really no difference between the period he has named and the proposed term of ten years.

(6.26.) SIR W. HARCOURT: We are dealing with the case of untenanted farms, and how can it be an advantage to landlords that a difficulty should be put in the way of such farms being sold and properly occupied? Why we should have any limitation of date at all I cannot understand. The clause deals only with vacant farms, and even if it should, as the hon. Gentleman suggests, go back to the Norman Conquest, it would be so much the better for the landlords. The Land Act of 1881 was passed to cure evils which had been growing during the two preceding years, and the period proposed would just exclude the great evictions of 1879 and 1880. We should be most unnecessarily leaving behind a great sore if we omit from the benefits of the clause those men whose eviction date back to 1879. Why do you say our interest is only in the men of the Plan of Campaign? Why is it that they are the subject of the special solicitude of this House? There can be no reason for making a distinction between the different classes of evicted tenants. What you want is to get rid of the untenanted farms and evicted tenants. I should say you ought to have no date at all.

(6.31.) MR. PIERCE MAHONY: I cannot see what object there is in putting in any limitation whatsoever, because we are not by this clause applying any compulsion to anybody; we are only trying to facilitate voluntary agreements between landlords and tenants. Why you should exclude tenants who were evicted a certain number of years ago from coming to voluntary arrangements I cannot understand. I think hon. Members will agree that this House is not very easily moved to legislate for Ireland. In 1881 this House did legislate for Ireland in a very marked way. What caused the House to legislate for Ireland at that time? It was the fact that for some time up to 1878 high prices had ruled in Ireland. In 1879 the prices suddenly fell, and the rents which the Irish landlords had exacted from their tenants became impossible. Some few landlords exercised the rights which the law gave them in such a harsh manner that this House was forced to step in and interfere, but the legislation was in no way retrospective. The proposed limit of 10 years would exclude from the operation of the clause those very tenants whose hard cases of eviction led to the passing of the Act of 1881. If the hon. Member for South Tyrone would add two years, and make the limit 12 years, I think that would be perfectly satisfactory.

*MR. T. W. RUSSELL: I think there is force in what has been said by the hon. Member for West Belfast and repeated by the hon. Member for Meath. The agricultural distress out of which these early evictions sprang commenced in 1879; and if my right hon. Friend the Chief Secretary sees no objection, I should be glad to substitute 1879 for 1881.

(6.35.) MR. M. HEALY (Cork): I am glad the hon. Gentleman has made this concession, as I think it will cover almost every practical case, but may I suggest there is some danger in introducing any limit at all. The danger is that you may create doubt as to what the existing law is, and you may suggest to the Land Commission, that except in cases to which the limit applies, it would be illegal for them to make any advance at all. I think this is a serious danger, and I have not in the course of the Debate heard any practical reason given for imposing a limit of time.

(6.36.) MR. SEXTON: I would suggest that the date should be the 1st of May, 1879.

Amendment negatived.

Amendment proposed, in line 1, after the word "determined," to insert the words "since the 1st day of May, 1879." —(*Mr. Sexton.*)

Question, "That those words be there inserted," put, and agreed to.

Further Amendment proposed, in line 2, to leave out the words "Before the passing of this Act."—(*Mr. Sexton.*)

Question, "That the words proposed to be left out stand part of the Question," put, and negatived.

*(6.39.) MR. ROBY (Lancashire, S.E., Eccles): I wish to move the omission of the words "and the former landlord or his successor in title is in occupation of the holding." I cannot see why any class of tenants should be prevented from coming within the provisions of the clause.

Amendment proposed, in lines 2 and 3, to leave out the words "and the former landlord or his successor in title is in occupation of the holding." —(*Mr. Roby.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

*(6.40.) MR. T. W. RUSSELL: I confess I do not quite understand the object of the hon. Member. So far as I can make out, he proposes by leaving out the words to effect what the somewhat lengthy Amendment of the hon. Member for West Belfast proposes.

MR. A. J. BALFOUR: I should like to know, Mr. Speaker, if this is in order. If I understand the hon. Member rightly his Amendment would practically raise precisely the same question which the Committee disposed of on Tuesday night.

*MR. SPEAKER: The Amendment standing in the name of the hon. Member for West Belfast would be out of order. On page 10, after Clause 6, the hon. Member proposed to insert a clause which practically amounted to this, that if the previous tenant made application the sitting tenant should be practically disqualified from purchasing under the Act. There is no difference in the present proposal which practically would prevent a particular person, who is a *bonâ fide* occupying tenant, from taking advantage of that which is expressly provided for his benefit; and this clause not only goes the same length as the clause previously discussed and divided on, but provides compensation in the event of eviction. Therefore, to discuss again the question of pre-emption of the last tenant over the sitting tenant, would be raising exactly the same point discussed for many hours on Tuesday night, and would be out of order. If the hon. Member were to make the arrangement voluntarily, of course it would be an entirely different matter.

MR. SEXTON: I understand that this would not operate except by the will of the tenant. I would propose to insert in line 4 of my Amendment, after the word "may," the words "with the consent of the person who is in occupation."

*MR. ROBY: Do I understand you, Mr. Speaker, to rule that the Amendment I propose is out of order?

*(6.45.) MR. SPEAKER: I understand the hon. Gentleman moved an Amendment in substitution of that of the hon. Member for West Belfast, notwithstanding that it is a compulsory arrangement, and that it would cause great injustice to the occupying tenant by having pre-emption given against his will to an ex-tenant.

*MR. ROBY: I did not imply anything about compulsion. I desire to enable the landlord to enter into an agreement with the ex-tenant, even though he is not the tenant in possession.

SIR W. HARCOURT: With the consent of the tenant in possession it might be.

Amendment, by leave, withdrawn.

MR. SEXTON: I beg to move to omit from the clause of the hon. Member for South Tyrone the words "within six months of the passing of this Act." The Chief Secretary will agree with me, I think, that it is probable that these cases of evicted tenants will arise and be dealt with in connection with sales on estates by landlords to tenants who are in possession of their holdings. Many a landlord may not consent to sell for five years to come. Whenever he comes to sell his estate to the occupying tenants there may be a ragged fringe of these evicted tenants to be dealt with. Will anyone suggest why a landlord should be debarred from selling his whole estate and from admitting these evicted tenants? Then the evicted tenants may be scattered. Some may be at work in England and Scotland, and even in America, and time should be given to enable them to be communicated with. On grounds of practical convenience of the landlord and tenant, and also on the general ground that it is expedient to encourage these persons to purchase without limit of time, I would strongly urge the hon. Member to accept my Amendment.

Amendment moved to the Clause, in lines 4 and 5, to leave out the words "within six months of the passing of this Act."—(*Mr. Sexton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*(6.50.) MR. T. W. RUSSELL: I do not think that the same argument applies to this as applied to the last Amendment. I am of opinion that it is of the greatest importance that what is done should be done promptly, and with that view I think a statutory limit ought to be imposed. On the whole, looking to what I consider to be the absolute necessity of healing this long-existing sore in Ireland quickly, I must stand by the clause. I do not think there is likely to be as much difficulty in arranging matters as the hon. Member for West Belfast supposes. Both Parties in Ireland are weary of the strife; both Parties have been sadly injured, and if there is a chance of coming to terms, I think they will be glad to avail themselves of it. I believe six months is quite sufficient time, and I am, therefore, very much inclined to stand by the words in the Bill. As to the evicted tenants who may be in England or Scotland I have no doubt that their relatives in Ireland would communicate with them.

(6.52.) SIR G. TREVELYAN (Glasgow, Bridgeton): I do not think the hon. Gentleman who has just spoken has quite reflected on one of the aspects of this question. There are many estates in Ireland where the sitting tenants would be willing to perform the operation prescribed by this clause. Their bargains, however, could not be completed because of the existence of these discontented and unhappy and, in the opinion of their fellows, injured men, who are outside the possibility of the bargain. Now, we all know that it is a very long business for a landlord to come to an arrangement with the great body of his tenants. Landlords in this position, I have no doubt, have despaired of coming to any of these bargains, and, in many cases where such bargains have been possible, they have not even begun them. Now, I venture to say that anyone who knows anything of the operation of the Ashbourne Acts knows that six months is not enough time to effect these arrangements. Many of the evicted tenants may be as far off as America, and it appears to me quite plain that in the interest of the Act, the evicted tenants, and the tenants on the estate six months is not enough. The evicted tenants may be impecunious, and in all probability will be, and will require a longer period to complete all the necessary financial arrangements for purchase. I do not suggest a period, but I think three years is the very least that should be given.

(6.55.) MR. A. J. BALFOUR: I did not intervene in the Debate on the preceding Amendment, as it did not appear to me vital or material to the success of the clause. The limit might be fixed at 5, 10, or 12 years; but I think the new point that has been raised is one of much greater importance. I would strongly recommend the House to adhere

to the clause as drafted by my hon. Friend. It is said that the negotiations between landlords and their tenants have dragged on interminably, and covered far more than six months. There have not been many such cases; but it is true that in some instances titles had to be examined and difficult negotiations had to be carried through, and tenants had to be persuaded—by their priests and others—that it was to their interest to purchase. But I hold that if, in these cases, the tenants had been told that they would have to settle in six months or not at all, they would probably have settled in six months, or three months, or two months. Recollect the amount of time required is not the amount necessary to complete the sale. All that is required is that the tenants should agree with their landlords to purchase on certain terms, and if six months is not enough for that, six years, and even 600 years, would not be enough. If you allow these matters to drag on, I am sure that, instead of allaying the sore about which we have heard so much to-day, you will be doing your best to keep it still open. I hope the House will adhere to the clause.

(6.58.) SIR W. HARCOURT: I had doubt on this matter until I heard the speech of the right hon. Gentleman the Chief Secretary. I have none now, for the reason he defends the six months is this—that the landlord will be able to say to the tenant, "You must agree for six months or not at all;" that is to say, that the landlord will be able to put the tenant under a pressure that I do not think he ought to be placed under under the circumstances. The shorter the time allowed the greater the screw put upon the tenants. I think the period of six months is unreasonably short, although it is for those hon. Members who are familiar with the working of these matters to say whether the time should be 12 months, two years, or even longer. If the period is made too short you will be defeating the object of the clause altogether.

*MR. RATHBONE (Carnarvonshire, Arfon): I cannot quite agree with either side on this question, and it seems to me that the real point lies between the two. It has been said that men who are now in America may wish to return. I think, however, that they are far better off where they are. But I do not believe a matter of this sort should be settled too rapidly, inasmuch as some of the tenants may want a fair interval in which to make up their minds. I would, therefore, suggest that the period should be 12 months instead of 6 months. I admit that in Ireland they are quicker in doing these things than we are. I quite see the object of the Amendment which is to prevent this matter dragging on.

MR. PIERCE MAHONY: I think that while six months may be a sufficiently long period for settling with one or two tenants it is not so for settling with all the tenants on an estate. The time should be extended to 12 months, and there should be a proviso for a further extension of 12 months on condition of a joint notice being presented by the landlord and the tenant. Such a proposal, if adopted, would enable landlords and tenants to bring matters to a satisfactory conclusion.

MR. T. P. O'CONNOR (Liverpool, Scotland): I strongly urge the Government to re-consider their decision in this matter. In nine out of ten cases in Ireland the landlord will refuse to sell unless he can sell his entire estate; and on the majority of estates the evicted tenants form the minority. Therefore, if the proposed time limit be retained, the evicted tenants will have to make their bargain under great pressure, for the other tenants will be in no hurry. The proposal practically curtails the existing rights and privileges of the evicted tenants. I urge most strongly upon the Government not to enlarge the period of time. I think the only point the hon. Member for South Tyrone was able to show in favour of his proposition was that some pressure should be brought to bear on these people.

MR. MACARTNEY: I quite agree that most sales under the Act will be sales of the whole estate rather than of portions. This clause is brought before the House on the allegation made by hon. Members, that the evicted tenants are extremely anxious to buy, and that the landlords are anxious to sell to

them. If that is so, there can be no difficulty in the parties to the agreement coming together. I protest against the enlargement of the proposed time limit, because it would only serve to keep open the existing agrarian difficulty. Hon. Members have spoken of the case of evicted tenants now in America; but the clause is not to be passed in order to bring back to Ireland men who are now in America. No one can assert that it would be well to bring a man back from a land where he has shaken off his old habits under the necessity of working for his living or of going rapidly to the wall.

MR. KNOX: I would point out that the landlords will deal with the existing tenants first in effecting sales; and as we know the time which is occupied by these transactions, it will be a long time before the evicted tenants get an opportunity to purchase.

MR. M. HEALY: I do not see why this discussion should be continued. The whole thing is sufficiently clear. You have a landlord willing to sell and a tenant willing to buy, and I do not see why any obstacle should be interposed between the two. The effect of this Amendment would be to bring together two people who have hitherto been kept at arm's length. One of the most efficacious modes of settling disputes of this kind up to the present time has been the process of arbitration, and if arbitration be adopted under this clause it will necessarily take some time to arrive at a decision. I think, therefore, that the limitation of six months which is attached to the clause is both unwise and dangerous. If the House wishes the clause to be really operative it will allow a sufficient time. I think, therefore, that the Amendment is a reasonable one, and I appeal to those who desire to render the clause workable to support it.

(7.24.) MR. JORDAN (Clare, W.): I would also urge that the proposal is a reasonable one. Six months in many cases would be too short, and I do not see what objection there can be to prolonging the period. The hon. Member for South Antrim (Mr. Macartney) has talked of six days being sufficient, but the hon. Gentleman can hardly get home to his place in Ireland and open his letters in that time. I would suggest that in the interest alike of landlord and tenant the period should be made one year, which is the shortest term in which a satisfactory arrangement could be come to between the landlords and the evicted tenants. This would give the landlords time to consider whether they will sell and the tenants time to consider whether they will buy. To make the period 12 months would amount to what we call in Ireland splitting the difference. I am surprised that the hon. Member for South Tyrone adheres so rigidly to his clause as to refuse so reasonable a proposition. I would, therefore, endeavour to press upon the hon. Member the necessity of extending the time so as to prevent a large number of tenants from being left out in the cold through not having sufficient opportunity of coming to terms with their landlords. I myself know of one case in which negotiations have been carried on under the Ashbourne Acts for something like three years, and a final settlement has not even yet been arrived at. That is in the County of Fermanagh. I trust the House will permit this Amendment to be carried.

MR. SHAW LEFEVRE (Bradford, Central): I would suggest that my hon. Friend should not press this Amendment, but should allow another to be moved substituting 12 months for six months. I agree with the hon. Member who tells us that months would not be a sufficient time in many cases for the completion of negotiations.

MR. SEXTON: I am quite willing to adopt the suggestion of the right hon. Gentleman, and will ask leave to withdraw the Amendment.

Question put, "That the Amendment be, by leave, withdrawn." [*Cries of* "No!"]

MR. P. J. POWER (Waterford, E.): I hope the Government will see their way to a favourable response to the appeals made from this side of the House. They must see that in many cases six months must necessarily be too short a period. I hope my hon. Friend will press this matter to a Division, because I think it desirable in the interests of Ireland.

(7.31.) The House divided:—Ayes 130; Noes 75.—(Div. List, No. 263.)

(7.40.) MR. SEXTON: I accept, of course, the decision of the House on the Main Question. Since the House has determined to retain the limit of six months after the passing of the Act, perhaps the Government may be disposed to make allowance for special cases by introducing the words "or such further period as for special cause may be allowed by the Land Commission." I move the insertion of those words.

Amendment proposed to the Clause, in line 5, after the word "Act," to insert the words "or such further period as for special cause may be allowed by the Land Commission."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

MR. A. J. BALFOUR: That is a far more tolerable suggestion than that which has just been negatived, but I do not think it will improve the Bill or the position of the ex-tenant. My imagination fails to conceive what are the special circumstances that could induce the Land Commission to extend the term. The harm that will be done by the Amendment will be that tenants will be tempted to put off arrangements to the last day in the hope that the term may be extended, and the very fact that a tenant entertains such a hope would militate against the settlement which all desire to see effected. The Amendment seems to me to be almost useless, and I certainly think that the Bill would be better without it.

*(7.44.) MR. T. W. RUSSELL: I might advance one other reason against extending the term. There are too many happy-go-lucky people in Ireland—both landlords and tenants—who will not come to an agreement unless pressure is brought to bear upon them. If delay is but possible they will take advantage of it. I do not think any difficulty is likely to arise through keeping this limit. Both parties are, I believe, anxious to effect the settlement, and as the dispute generally is only one of price, six months ought to be an ample period to allow of an arrangement.

*MR. KNOX: The right hon. Gentleman asked as to what special causes my hon. Friend referred. Possibly the phrase is a little too vague. The special causes he had in his mind are no doubt those which may best be described by words used in the 7th clause dealing with sales to large tenants in exceptional cases—"Where it is necessary for carrying into effect other sales on the same estate." In cases where the bulk of the holdings on an estate are evicted farms, no doubt it would be possible to come to an arrangement within six months; but in cases where other tenants than evicted tenants have to be considered, it will be necessary to allow a somewhat longer period. I hope the right hon. Gentleman will make this concession.

(7.46.) MR. P. J. POWER: I could name several cases where negotiations have been going on for over six months. Surely it would be well to leave some discretion in this matter in the hands of the Land Commission. There must be cases in which there ought to be power given to extend the time.

MR. CRILLY (Mayo, N.): I think I traced a contradiction in what has been said by the right hon. Gentleman. A little while since, while opposing the Amendment of the hon. Member for West Belfast, he said that purchase in Ireland was not bound specifically by the six months, and that if the Land Commission on the application of landlord and tenant came to the conclusion that insistence on the limit would interfere with the transaction they would be able to extend the time. Now he asks what special cause there could be for delay; what could possibly induce the Commission to extend the time? Will the right hon. Gentleman tell us what he meant by his first statement?

MR. A. J. BALFOUR: I do not think I made any such statement.

MR. CRILLY: Yes: I took a note of it at the time. Unquestionably, the right hon. Gentleman said the purchase of these holdings was not absolutely bound by the six months, and that there was power to extend the time if it were seen that there was a disposition on the part of the tenant to buy and the landlord to sell. I am acquainted with a case under the Ashbourne Act in which the sale negotiations occupied a period of

two years. Therefore, I do urge that this is a reasonable Amendment.

(7.50.) MR. MACARTNEY: Although hon. Gentlemen opposite have been challenged to indicate the special causes which would justify an extension of time they have only advanced one, namely, when an arrangement has to be come to with two classes of tenants—evicted, and occupying on the same estate. It is perfectly obvious that negotiations with these two classes of tenants would have to be conducted on a totally different basis, and, therefore, the point does not apply.

*MR. KNOX: But several such cases have already occurred.

MR. MACARTNEY: If so, and there was difficulty, there can be no necessity for enlarging the time.

*MR. KNOX: The negotiations took considerable time.

MR. MACARTNEY: I do not think it would be possible, with regard to estates on which many farms are derelict, for the landlord to attempt to sell to the occupying and to the evicted tenants on the same terms. I think that the Land Commissioners themselves would be obliged to distinguish between the two sets of cases.

(7.52.) MR. PIERCE MAHONY: I think the hon. Member for South Antrim has advanced a strong argument in favour of the Amendment. He says that the cases of the sitting and of the evicted tenants must be considered separately. If that is granted, then surely there ought to be an extension of time in cases where it is proved to the satisfaction of the Land Commission that the extension is required for the purpose of carrying out different sales of holdings on the same estate. The Chief Secretary must be well aware that there are estates in Ireland where the landlord is not in a position to sell only one or two holdings, and supposing in those cases there were two evicted farms, the ex-tenants of which were willing to buy, and the landlord being willing to sell, it would be impossible to carry out the arrangement, because there might not be sufficient time to come to terms with the other tenants on the estate. All we ask for is an extension of time under these circumstances.

MR. P. J. POWER: And there is the difficulty likely to arise if a landlord dies while the negotiations are pending.

MR. PIERCE MAHONY: As my hon. Friend the Member for Waterford points out, the landlord may die, and the new landlord not take possession within the limit of time, or the landlord may be abroad. Surely these are strong reasons for an enlargement of the period of six months. The concession we ask for is a very small one, and it will in no way interfere with the object of the limitation. Before the time can be extended it will have to be proved to the satisfaction of the Land Commission that the parties have practically come to an agreement, and it is only asked that, in order to prevent hardship being inflicted, this discretionary power should be conferred on the Court.

(7.55.) MR. MACNEILL (Donegal, S.): It is very much to be regretted that, on a point dealing with eminently legal and technical matters, the House should not have the benefit of the advice of the legal adviser to the Irish Executive. He has had large experience in the working of the Courts, and would have been able to explain the effect of my hon. Friend's Amendment. The hon. Member who has just sat down is the only Member taking part in this Debate who has had practical experience of the working of the Land Commission. He was a Land Commissioner himself for some years; he knows what the work really is, and he is fully in favour of this Amendment. When the Land Act of 1881 was passed a provision was inserted stating a limit within which applications to have fair rents fixed should be made. The result was that large numbers of tenants were unable to avail themselves of the benefit of the Act, and although the Commissioners strained the law to the uttermost point, a good deal of hardship was the result. And the same effect will follow on this clause if the Amendment be not inserted. There are many causes which might lead to delay. A landlord might die, he might be a lunatic, or he might be abroad. I say that in the interests of both landlord and tenant this Amendment is necessary. Why should a bargain, if struck, have to be rushed through in this way? The hon.

Gentleman opposite said with great justice that different considerations would apply to tenants in possession and to evicted tenants. That is quite true, and you may be sure that the landlord will see that he gets full value for the holding. I say there is no magic in the period of six months. It is inequitable: it will tell badly for both parties. I therefore hold with my hon. Friend the Member for Cavan that on estates where the landlords have to deal with two classes of tenants the Land Commission ought to have power to extend the time if necessary. I shall be glad to know whether the hon. Member for South Tyrone is not aware of the enormous exertions made by the Land Commission to extend the time for lodging originating notices, and thus enable men who, through their misfortune, had not been able to comply with the requirements. This is a mere matter of equity, and I appeal to the Chief Secretary to make some concession.

(8.3.) MR. M. J. KENNY (Tyrone, Mid): I join with my hon. Friend (Mr. Mac Neill) in regretting that the Attorney General for Ireland is absent, for I think he would recognise that six months is an altogether insufficient period within which to lodge the necessary documents. Searching for title, for instance, is an exceedingly difficult thing, especially when it is connected with Irish land. Again, there must be negotiations between landlord and tenants as to the amount of the purchase money; there must be much correspondence and great difficulty in getting tenants together. The hon. Member for South Hunts might be on the Continent; indeed there are very many reasons why six months is an insufficient period. It is useless for the Chief Secretary to ask us to specify reasons: a hundred reasons might arise. It would be extremely difficult even to arrive at a preliminary agreement as to the number of years' purchase to be given by the tenants. All the work would have to be crowded into six months, and I greatly fear that if the limitation is not extended the clause will be nugatory. No matter how much diligence is shown, it will be absolutely impossible to complete all the arrangements in six months. I therefore appeal to the Chief Secretary to re-consider his decision.

(8.10.) The House divided:—Ayes 54; Noes 92.—(Div. List, No. 264.)

(8.18.) MR. SEXTON: Sub-section (3) is a great defect in the clause, and will place the tenant in an inferior position. It suggests that the landlord and tenant may agree at a price higher than the Land Commission are willing to sanction, and I think it takes too restricted a view of the question in regard to the amount of the advances. I do not think the Land Commission are bound, in considering what advance they may make, to limit themselves to a consideration of the state of the farm at the moment of the agreement. The Land Commission would not be obliged to value the farm, and I think there is no probability that the case contemplated in the 3rd sub-section will arise. Beyond being unnecessary, the sub-section is very prejudicial. An evicted man has been out of his farm for some years, living perhaps on public contributions, and you say to him, "You are not to be allowed to purchase unless you do a thing which we ask no other tenant to do—give security." Where is he to get the security? Such a provision would prevent transactions taking place under the clause.

(8.22.) MR. P. J. POWER: Before we come to that I wish to move, in line 7, after the words "representatives," these words—

"At a price to be fixed by the Land Commission on the application of either landlord or tenant."

The Land Commission at present have the power of saying whether the security offered is a good security for the sum advanced by the landlord, but they have no power whatever to come to the assistance of either party in making a bargain. The result will be that in many of these cases the landlord will ask a price which the tenant cannot possibly give, and the Land Commission have no power at present to say what would be a fair sum to give for the farm. My object is to give them a discretionary power.

Amendment proposed to the Clause,

In line 7, after the word "representatives," to insert the words "at a price to be fixed by

the Land Commission on the application of either landlord or tenant."—(*Mr. P. J. Power.*)

Question proposed, "That those words be there inserted."

*(8.25.) MR. T. W. RUSSELL: If this Amendment is inserted it will stultify the arrangement. It would make the clause compulsory.

COLONEL NOLAN (Galway, N.): I think the Amendment would be a good one if it meant an alternative arrangement, but at present I think it would weaken the whole clause.

MR. SEXTON: The Amendment is defective in this respect: that it would limit the operation of the sub-section to the case of a reference to the Commission. I would suggest that my hon. Friend should make the Amendment read—

"At a price agreed upon between the landlord and tenant, or a price fixed by the Land Commission upon the application of both parties."

MR. P. J. POWER: I accept that.

Amendment, by leave, withdrawn.

Amendment proposed to the Clause,

In line 7, after the word "representatives," to insert the words "at a price to be agreed upon between the landlord and tenant, or to be fixed by the Land Commission on the application of both parties."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

MR. MACARTNEY: This would be a boon to persons who are not tenants at all, which the hon. Member himself declined to grant to the occupying tenants.

Question put, and negatived.

MR. SEXTON: I have already stated my reasons for thinking Sub-section (3) unnecessary. If retained it will greatly prejudice the prospects of the clause.

Amendment proposed to the Clause, to leave out Sub-section (3).—(*Mr. Sexton.*)

Question proposed, "That Sub-section (3) stand part of the Clause."

MR. T. W. RUSSELL: The proposed purchaser from the Land Commission may have been reduced to something like poverty byhaving been out of his farm for two, three, or four years, while the farm may have been derelict and have gone to absolute wreck, growing nothing but weeds or thistles. The proposed purchaser comes before the Land Commission. The Inspector goes down and reports that, in view of the condition of the farm, there is the greatest danger in the Land Commission accepting the security of the land. This clause is drawn distinctly to facilitate the sale of a farm under these circumstances. (8.30.)

(9.6.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

(9.9.) MR. M. HEALY: It appears to me that the sub-section is based on an erroneous impression of what the law is, for under the existing law the Land Commissioners already have power to exact sufficient collateral security in such cases as the hon. Member for South Tyrone contemplates. They have exercised that power whenever they have thought fit—in fact, they have exercised it so as to call for considerable criticism in a portion of the Irish press. I do not think, therefore, that this sub-section will serve any good purpose. It seems to me that it would direct attention to a particular class of cases, and indicate to the Land Commission, in no obscure way, the intention of the legislature is that in the case of evicted tenants some additional security should be exacted. It must be remembered that a tenant who has been out of his holding for some time is likely to be a man who would experience the greatest difficulty in finding collateral security, in getting people to back his Bills. No doubt many of the holdings will have deteriorated, but when the Land Commission send down an Inspector to value the land, that Inspector will not consider it as land which could never be improved. The value of a holding is its value considering all the circumstances of the case, and taking into account the condition into which it can be brought by labour and skill. Therefore, it appears to me, that what the Land Commissioners would have to consider is not the present condition of the holding, which may have deteriorated through non-occupation, but whether the holding, having regard to all the

circumstances, is worth the money the tenant asks for. If it is not of sufficient value, they will not, of course, make the advance. I am very much afraid that the effect of the sub-section will be to direct the Land Csmmission to advance any sum which the necessity of the tenant and the cupidity of the landlord combined may have made the subject of agreement. The effect of the sub-section would be in the interests of the landlord rather than in those of the tenant, and I think it would be both unnecessary and unjust to exact additional security from the evicted tenants under the circumstances referred to. It seems to me that the sub-clause would limit the discretion of the Land Commission, and induce them not to look too closely into the conditions of the purchase and the reckless bargain the landlord and tenant may have entered into. It may induce them to overlook the fact that the landlord has induced the distressed tenant to give too much for the holding. I believe that the hon. Member for South Tyrone drafted the clause with a good intention, but it appears to me it is open to grave objection, and is likely to be mischievous.

(9.15.) MR. A. J. BALFOUR: In a very few words I think I can show the hon. Member who has just sat down and the House, that it would be to the interest of both tenant and landlord that the sub-section should remain. It cannot be expected that the landlord will take less than a fair price for the land he sells, and as any depreciation of the holding through vacancy will fall upon him rather than the tenant, the landlord will be justified in asking the same price as if the holding had been held throughout. Owing to the fact that the land has not been cultivated, the tenant's portion of the holding may be depreciated to a certain extent; but the depreciation only will be temporary. The value of the holding will not be permanently affected. But the Land Commissioners may say that owing to the temporary depreciation the tenant may not be able to meet his instalments for the first two or three years, and they will take the risk into account. Under these circumstances it is to the interest both of the purchasing tenant and of the selling landlord, that a sale should take place, and some provision should be introduced by which the Land Commission may sanction a sale essentially fair in itself and which they could not sanction if some such sub-section were not inserted in the clause. Observe, the question is not whether the holding will be able to cover the necessary instalments for 49 years, but whether during the first few years the tenant will be able to pay the instalments, and it seems to me most important that we should place this discretionary power in the hands of the Land Commissioners. The hon. Member for West Belfast was discussing quite another question—the general condition of the evicted. He pointed out to us that the evicted tenants have a means of obtaining credit that is not open to other tenants. I agree with that. Through obtaining the credit in question they will be able to come to an arrangement with the landlords—an arrangement similar to that which is come to by tenants who have not been evicted. In case the sub-section is rejected, I fear no landlord will be willing to sell property which has not been deteriorated permanently in value, and which, after a few years of cultivation, ought to rise to the value it would have had if the tenant had never been evicted. In conclusion, I would strongly urge the House to adhere to this sub-section.

(9.19). MR. M. J. KENNY: The value of the landlord's interest is no depreciated, that being the article you are selling. Why, therefore, do you want additional security from the tenant? You are asking the tenant to give a collateral security of his tenant right to the State, and this is the first we have heard of it. The value of the landlord's interest cannot be depreciated, but then we come to the tenant's interest. That may be depreciated, and therefore he is called on to give security to the State. Everybody admits that when an estate goes out of cultivation it will take an industrious tenant a year or two to get it back again. The question then will arise, who caused the depreciation? It may have been through want of cultivation, or it may have been through the landlord pulling down houses as in

the case of the Vandeleur Estate. We know that landlords' agents have set fire to houses and have pulled them down, and under this sub-section tenants might be called on to give security to the State on account of loss sustained through the wilful acts of the landlords. Surely nothing could be more unreasonable. Nothing could be more outrageous. Take the case of the Vandeleur Estate. The tenants on that estate would be called upon to give security for loss which they never occasioned. I am greatly at a loss to understand how this sub-section can be defended on any logical basis. I will move the following addition to the clause:—"Unless such deteriorated value has been caused by the action of the landlord." Otherwise the operation of the sub-section would be grossly inequitable.

*MR. SPEAKER: That Amendment should be moved after the present Question has deen determined.

*(9.22.) MR. SHAW LEFEVRE: I am quite unable to understand the object of the right hon. Gentleman the Chief Secretary or the motive of this clause. It appears to me that the only effect will be to put a difficulty in the way of the settlement of these cases. Many of the tenants will find their houses pulled down and their land covered with thistles and weeds. I think in such cases the tenants will find all their local credit exhausted in putting their house in order, and why you should impose further difficulties upon them by insisting upon security I cannot understand. I should have thought that the better plan would have been to relieve the tenants when they are first placed in their holdings from the operations of the first sub-section of Clause 5, so as to enable them to obtain the full benefit of the reduction of their previous rent. It appears to me that the only effect of the sub-section will be to make arrangements far more difficult, and practically to interfere with the whole object the hon. Member has in view.

(9.25.) MR. JORDAN: I think this sub-section can do no good, and may do a considerable amount of harm. It was not in the first draft of the new clause, and it was only after second thoughts, or further inspiration, that the hon. Member for South Tyrone (Mr. T. W. Russell) introduced it. It is objectionable in many ways. It throws on the Land Commission the assumption that the holding is temporarily deteriorated. I know something about land, and, as a matter of fact, the landlord's interest in the holding is not deteriorated because the land has not been cultivated for a few years. The hon. Member has ridden about on an outside car in summer time, and has seen the hay growing on derelict farms, and concluded that it was weeds and thistles. As a matter of fact, if these things are allowed to rot they enrich the land. ["Oh, oh!"] It is so. I am not a literary character, like the hon. Member for Tyrone. I worked on a farm in the early part of my life, and I know what I am talking about. If a tenant is evicted it is difficult for him to obtain security. He may receive doles from associations, but security is another thing. His own note of hand will not be taken as security, and I assure the House it is a most difficult thing for small farmers to obtain security to the extent of £5 or £10. Neighbours sympathise with them, but if you ask a neighbour to put his name upon stamped paper he will hesitate for fear of the consequences. I know it is most difficult to get people to put their names on a note, even for amounts due by themselves to shopkeepers. One would think, from the way in which this clause is drawn, that you were dealing, not with Irish farms, but with London houses in regard to which there is an engagement to paint and paper at certain periods. I think that if any person is to give security, it should not be the tenant; and if any person is to be compensated for temporary depreciation, it should be the tenant. In the case of the tenants on the Vandeleur Estate, the arbitrators assessed their loss at a sum equal to four years' rent. I do not say that that was not excessive; but it is clear that the tenants were entitled to compensation for the loss occasioned by their eviction. In this case I would neither assess damages against the tenant nor the landlord; and I maintain that, under all the circumstances of the case, this is a bad sub-section, and one only adopted on second thoughts.

*(9.32.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I venture to express a hope that the hon. Gentleman who has moved the omission of the sub-section will not press his Motion. We have had an interesting lecture from the hon. Member who has just sat down on practical agriculture; and I am far from denying his right to speak with authority on the subject. It is, no doubt, true that certain classes of farms will not deteriorate by allowing hay and grass to rot on them; but, on the other hand, many farms will deteriorate if left uncultivated. In such a case, although the tenant is anxious to buy, the Land Commission may think the land, owing to deterioration, not a sufficient security, and the tenant's application to purchase will be refused. It is, therefore, in the interest of the tenant that the sub-section should be retained. It is said that the difficulty as to security may be met by dispensing with the Insurance Fund. But, surely, it would not be a sound principle to dispense with the Insurance Fund in a case which is *ex hypothesi* a risky one. On the whole, I think this sub-section a most valuable portion of the clause, because it would render possible transactions which would otherwise be impossible.

(9.36.) SIR G. TREVELYAN: The right hon. Gentleman has left out of sight the fact that it is the Treasury who are buying those farms, and that they are doing so at a greater price than their selling value. The right hon. Gentleman has been deceived by the phrase which has been used so frequently to-day—the tenant-purchaser. It is not the tenant who buys the farm. The Treasury buys, and has to recover during the next half century the capital value of the land by instalments paid in addition to the rent. Now the Treasury is asked to buy these farms for greater than their actual selling value. This is a sub-section put forward, not in the interest of the Treasury or of the tenant, but solely in the interest of the landlord, in order that he may get a higher price for the land. It is not in the interest of the tenant, for he, in some way or other, will have to pay annual instalments which will represent more than the selling value of the land. If this land had to be sold, not in Ireland, but in England, does the right hon. Gentleman opposite mean to say that it would sell for as much if deteriorated as it would if it were not deteriorated? We are bound to put ourselves into the position of the landlords who are selling the land, and I would ask the Chancellor of the Exchequer, whom I see present, if private individuals would buy deteriorated land for as large a capital sum as they would give for land which was not deteriorated? No one in his senses would say that they would. And I would ask this: Would any English landlord wish to buy an estate with such terms upon it, and with tenants in such a condition that the only means they had of paying rent was by borrowing money. Everybody knows that a material reduction in the selling price would be made under such circumstances. I hold, therefore, that any deduction which in such circumstances would be made in a private contract, ought also to be made in a public contract. The sub-section would not be in the interest of the State or the tenant, who would have to find the security. It would be in the interest of the landlord, and that alone.

*(9.40.) MR. COLLERY (Sligo, N.): The credit of the evicted tenants is at present at such a low ebb that no sensible man would become security for them, and, therefore, if security is insisted upon, it will simply be taking away with one hand what you have given with the other. If this sub-section is retained it will practically put a stop to the purchase of farms by evicted tenants.

MR. PIERCE MAHONY: I cannot understand on what grounds it can be necessary to require further security from the tenant, because the property that would be deteriorated would not be the landlord's property, but the tenant's interest. I know that it has been the practice of the Land Commissioners to agree to the sale of farms that have somewhat deteriorated under similar circumstances on the landlord increasing the amount of the guarantee deposit. I desire to ask if this passes in

its present form, will it be in the power of the Land Commission to permit the landlord to increase the guarantee deposit instead of requiring the tenant's security, or will this operate as a direction to the Land Commission not to advance the money under the circumstances unless there is that security?

(9.46.) The House divided:—Ayes 105; Noes 65.—(Div. List, No. 265.)

(9.57.) MR. M. J. KENNY: I beg to move to add to the sub-section words providing that the Land Commission shall not make the advance, even upon the purchaser giving sufficient security, where the deteriorated value has been caused by the action of the landlord. I trust the hon. Member who has moved the clause will see his way to accept the Amendment. The clause will Act as a mandatory provision to the Land Commission, and the Commission, when the valuer reports that the land has been deteriorated, will be bound under it to demand security on account of that deterioration. Take the case where the deterioration has been the burning or pulling down of a house by the landlord, surely in such a case the tenant should not be called in to give an increased security. I think the deterioration should be confined to that which has taken place through the action of the tenant.

Amendment proposed, at the end of the Clause, to add the words "unless such deterioration in value has been caused by the action of the landlord."—(*Mr. Matthew Kenny.*)

Question proposed, "That those words be there added."

*MR. T. W. RUSSELL: I would ask the hon. Member what he would do in cases where the injury to the house has occurred through the tenant resisting eviction?

MR. M. J. KENNY: I should decide in such a case that the damage was the fault of the tenant.

MR. T. W. RUSSELL: Then I say there has been scarcely one case of injury to property which has not resulted from the resistance of the tenant.

Question put, and negatived.

(10.2.) MR. PIERCE MAHONY: I have now to move an Amendment to come in after the word "depreciation," in the following terms: "Unless the landlord shall consent to increase the guarantee deposit to the amount that will satisfy the Land Commission." There may be cases in which the tenant may find it impossible to get the required security, but in which the landlord might be willing to meet the difficulty in this way. I know of several cases where the landlord, after having come to terms with his tenant, reinstating him for the purpose of enabling him to make application to the Land Commission for a loan; the Land Commission have refused to sanction the loan, on the ground of deterioration of the holding, but have subsequently sanctioned it upon the landlord agreeing to increase his guarantee deposit. I think the Amendment might allow a certain additional number of cases to come within the clause when the tenant cannot find the required security.

Amendment proposed,

At the end of the Clause, to add the words "unless the landlord consent to increase the guarantee deposit to an amount which shall satisfy the Land Commission."—(*Mr. Mahony.*)

Question proposed, "That those words be there added."

*(10.5.) MR. T. W. RUSSELL: I do not think this Amendment can be accepted, nor would it promote settlements. In most cases the landlord would not be in a position to act in this way, having had no rent for years. If the tenant requires help, he may get it from the neighbouring tenants, or from those friends to whom the hon. Member for West Belfast has alluded, who are so deeply interested in the tenant's welfare.

MR. SEXTON: This last remark is a curious illustration of how much ignorance may prevail, even among those who are nominally Irish representatives. I never said that the tenant's friends would assist in finding security. I said in reference to the suggestion that the evicted tenants were paupers, that they would receive help on being restored to their holding in resuming the cultivation. A sack of oats for seed, a supply of food on the security of the coming crop, is a very different thing to an unlettered man to putting

his hand to paper, becoming security for a legal claim. The hon. Member has mistaken the purpose of the Amendment. Instead of the Land Commission exacting an increased guarantee deposit, there is no question of "shall," but the landlord "may" if he pleases increase the guarantee to carry through the transaction. But I may direct attention to the third section of the Act of 1885, and by that I believe that if the landlord, or anybody else, is willing to increase the amount of guarantee there is nothing to prevent this being done.

Amendment, by leave, withdrawn.

(10.8.) MR. SEXTON: I need occupy but a few minutes in proposing the next Amendment.

*MR. SPEAKER: I am bound to say I think the Amendment standing next in the name of the hon. Member is inadmissible. The House has been dealing with the case of farms vacant, or in the occupation of the landlord, but the hon. Gentleman now proposes that where the holding is in the occupation of a new tenant an agreement between the landlord and the former tenant shall operate as a determination of the new tenancy. This is a compulsory action, whereas action under the clause is voluntary. The proposed Amendment is not relevant to this clause, and it would not be in order to move it.

MR. SEXTON: Perhaps, Sir, you will allow me to explain that the clause deals not only with derelict farms, but with farms in the occupation of the landlords. Secondly, the question decided is that where a sitting tenant wishes to purchase, and the evicted tenant offers a higher price, the offer of the evicted tenant shall be accepted.

*MR. SPEAKER: The hon. Gentleman introduces entirely new matter by his proposal, he introduces the question of compensation.

MR. SEXTON: I suppose, Sir, I should be entitled to raise the question in the form of a new clause?

*MR. SPEAKER: I must see the clause first. It is a question of how far it is consistent with the decision of the House, that negotiations should be concluded under which the Land Commission would be bound to put the former tenant over the head of the existing tenant.

MR. SEXTON: The objection might be met by the introduction of the words "with the consent of the person aforesaid."

*MR. SPEAKER: Then I fall back on the original objection that it has nothing to do with the clause with which we are now dealing.

Clause, as amended, added.

*MR. ROBY: I have some hesitation about moving the new clause standing in my name. I am not clear whether it would be in order.

*MR. SPEAKER: The clause would not be in order. The introduction of a new tenant over the head of the sitting tenant would be disabling not an enabling clause.

*(10.14.) MR. T. W. RUSSELL: The clause I have now to propose is a very simple one, but it will, I think, conduce to the efficient working of the Act. It is a proposal that where an agreement has been made between landlord and tenant the Land Commission shall have power to settle disputes as to boundaries, rights of way, and matters of that kind. The right of way to, and use of, a well, for instance, is often a matter of dispute, and it is desirable that the Commission in effecting the sale of an estate should have the power of settling such disputes and so preventing future litigation. It is a simple clause and I hope it will be accepted.

New Clause—

(Power of Land Commission to determine disputes between tenants.)

"Where any tenants of an estate have agreed to purchase their holdings under the Land Purchase Acts, the Land Commission shall have power, if they think fit, to determine for the purposes of the sale, all questions which may arise respecting the boundaries of the holdings, easements, turbary, or appurtenances claimed by any of the tenants of such estate against any other such tenants of the same estate; but if the Land Commission think it expedient to refer the matter to the decision of an ordinary court, they shall not be bound to determine the matter under this section,"—(*Mr. T. W. Russell,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

(10.15.) COLONEL NOLAN (Galway, N): This, I think, will prove a most useful clause. I know disputes of this kind do continually arise, and they will continually arise under this Bill. If they are peaceful people they settle the dispute among themselves, but if they are fond of litigation, they go to Quarter Sessions, where the Chairman leaves it to the landlord, who does often settle the matter after a fashion. Certainly I think these are matters the Land Commission might very well decide, it will save the tenants from possible expense and discourage the habit of constant litigation.

COLONEL WARING (Down, N.): I hold an entirely opposite opinion to that of the hon. and gallant Gentleman who has just sat down. If the clause is agreed to the Land Commission will have to investigate many small and infinitesimal questions, and great delay will arise in consequence of the Commission doing this work. We, who know Irish life, are familiar with these local disputes, and I think they had better be left to the rough but efficient methods of settlement indicated by the hon. and gallant Gentleman. The landlord does not like the duty, but he is the person best acquainted with the facts, and is not personally interested. I shall vote against the clause.

(10.17.) MR. M. HEALY: I quite agree that when the purchase of a holding is effected, there may be a constant tendency to litigation over questions of right of way, of turbary, bog, seaweed, and questions of that kind, and if any official procedure could be desired by which a satisfactory settlement could be arrived at without resort to a Court of law, I shall support it. But I have carefully read the clause proposed by the hon. Member for South Tyrone, and it seems to me it proposes an inadequate method of dealing with such questions, and will introduce enormous obstacles in the way of land purchase. What has happened in the Land Purchase Court? By virtue of the Act of 1887, there are powers existing by which the Land Commission can hold an inquiry such as is held in the Landed Estates Court; but they have wisely refused to exercise those powers, because it would involve the going through that process which renders a sale in the Landed Estates Court such an enormous burden to the parties concerned. When an estate is sold in that Court the rights of everybody have to be ascertained, every conceivable right has to be adjusted, and the Court has been compelled to enact a series of rules, and the sale is a most costly and elaborate proceeding. More than that, I think the endeavour to prevent litigation by the definition of rights will lead to more litigation than if those rights are left at large. For more than 40 years the learned Judges in the Landed Estates Court have gone on trying to settle these rights, and though they have done it efficiently, it has been at the expense of an enormous delay in the business of the Court. The Land Purchase Commissioners have the same power under the existing law, and may proceed by vesting order, having the same effect as a Landed Estates Court conveyance, but wisely they have decided not to do this, because it would involve elaborate inquiry and long delay. In the Landed Estates Court these inquiries are only made as between estates, but the Land Purchase Commissioners would have to make these inquiries as between different holdings on an estate, so it appears to me the task imposed upon the Commissioners would be highly calculated to enormously delay the proceedings in their Court. I am desirous that the Land Commission should decide such matters if it could be done cheaply, and without delay, but I doubt the possibility of that. I certainly cannot advise acceptance of the clause.

(10.21.) MR. MACARTNEY: I sympathise with the object of the hon. Member for South Tyrone, but there are so manyd ifficulties in the way of arriving at the object aimed at by the clause, that I hope my hon. Friend will not press it. Anybody who knows anything of Irish agrarian life, knows how many questions of this kind arise. I feel certain that, while agreeing with the hon. and gallant Member opposite that there would be an advantage in the Land Commission deciding such questions, they could not do so without an expenditure of time and trouble they

cannot afford. I think the tenants themselves would not desire to see their right, real or supposed, decided by a tribunal like the Land Commission. It would deprive Irish country life of all excitement if, after abolishing the landlord you take away from the Irish tenant one of the first joys of life, "having the law" of his neighbour. There is in my neighbourhood a well, access to which has been the cause of numerous faction fights and proceedings rising therefrom, and some actions for slander and libel, and I am not sure that a countryman of mine is not now undergoing penal servitude as the result of a part he took in a fight in reference to this well. I do not believe that the Land Commission could ever discharge this task if it were imposed upon them, and if their decision were made a condition, I am afraid it would put an end to negotiations for purchase.

(10.24.) MR. M. J. KENNY: The 9th clause of the Ashbourne Act gives powers identical with these, with the exception of the rights of turbary, but this section has remained inoperative, so that manifestly the Land Commission is not a competent tribunal to decide questions of boundaries, rights of way, easements, and so on. Those familiar with matters in the County Courts of Ireland, know how these questions are raised; how from 20 to 40 witnesses are ranged on one side, and a like number on the other, how maps and plans are produced and proved by engineers, how the oldest inhabitant is brought up to depose that nobody ever went that way without the consent of plaintiff, and the next oldest inhabitant asserts that it has been the custom to pass that way without any man's leave. If the Land Commission is going to undertake the settlement of these questions there is no limit to the time that will be required to get through the sale of one estate.

MR. A. J. BALFOUR: I have listened with considerable interest to the discussion, and I sympathise with the object my hon. Friend has in view, but as it appears that hon. Members from Ireland consider that their countrymen have a natural taste for litigation, from the indulgence of which it would be cruel to deprive them. I hope that my hon. Friend the Member for South Tyrone will not run counter to the national proclivities, but will withdraw the clause.

(10.30.) MR. PIERCE MAHONY: Despite the natural proclivities, I hope the hon. Member will not withdraw the clause. I have not forgotten the remarks the Lord Chief Justice of Ireland addressed to the barristers at Cork. The learned Judge congratulated the Members of the Bar on the prospect of increased litigation, owing to the passing of the Land Purchase Act. I think this clause is calculated to diminish litigation, and that is my reason for giving it my most cordial support. The junior Member for Cork (Mr. M. Healy) referred to the fact that the Landed Estates Court has to define all rights, and that that leads to great delay in carrying out sales. Yes, but what is proposed by this clause is a totally different matter. The Landed Estates Court has to make the most careful inquiry; they have to serve notice on every interested party, and once they have completed their inquiries no one can go behind them. The hon. Member for South Tyrone does not propose that the Land Commission should do anything of the kind. He only proposes that where an application is definitely made to them they should be empowered to come to a decision. If there is difficulty in coming to a decision, if it appears to the Land Commissioners that the inquiry would cause delay, all they have to do is to refuse to come to a decision, and send the matter to some other Court. If the clause is read a second time, I think it would be worth the while of the hon. Member to consider whether it would not be wise to accept an Amendment empowering the Land Commissioners to make inquiry in cases of this kind through a sub-commissioner on the spot.

*(10.35.) MR. KNOX: My objection to the clause is not at all that of the hon. Member for South Antrim. The hon. Member seemed to object to the provision on the ground that it would stop litigation. I think it would cause increased litigation; that it would cause a whole crop of claims to arise on the

occasion of a sale. Sub-section 2 of Section 9 of the Ashbourne Act of 1885, has not been used in many cases because it was felt that if it was once proposed to inquire into every easement affecting the holding there would be such a long course of litigation that the sales would not be sanctioned for perhaps many years. The Land Commissioners felt they really could not go into these matters. Though sometimes, unfortunately, there may be litigation, as a rule these questions settle themselves. I have known cases in which tenants have ruined themselves by litigation over trifling rights of way, but for one case in which there has been litigation, there have been half a dozen cases of dispute in which there has been no litigation. If this clause were passed there would be an inducement to the tenants who have any dispute with their neighbours to make claims, and there would be litigation lasting I do not know how long before the sale could be carried out. This Amendment is not, therefore, to be desired in the interest of the tenants, whereas it is greatly to be desired in the interest of the lawyers.

*MR. LEA (Londonderry, S.): One thing has struck me, and that is the clause has been opposed almost altogether by lawyers in the House. That is sufficient to cause one to be a little suspicious. The hon. Member for Mid Tyrone says the clause does not differ from the clause in the Land Act of 1881. If that is the case, what possible objection can there be to it? I know that the late Land Commissioners, Mr. Litton and Mr. Justice O'Hagan, longed that there was some such clause as this, which would give them power to settle disputes very much to the benefit of the tenants. This is essentially a clause in the interest of the tenants, and one the House ought to pass when it is passing an Act for the benefit of the tenants.

*MR. MADDEN: If the House has to come to a decision upon the clause it is well to have a clear understanding as to how the clause will affect the existing law. It is not the fact that all that the clause proposes can be done by the Commissioners under the powers of the 9th section of the Act of 1885. Under that section the decision of the Commissioners can only apply to a vesting order, and not to advances to complete sales by conveyance. But a greater difference is that under the Act of 1885 the Commissioners must either leave the rights, easements, and boundaries wholly undetermined, or they must determine every right or easement affecting the holding, while under the present clause the Commissioners may without going into the question of easements generally decide any little twopenny-halfpenny question that barred the way to an agreement, not touching other details. The Commissioners may determine, if they choose, some question affecting a boundary or pathway, without going into the whole question, and this specific power may be usefully exercised.

MR. JORDAN: The fact that this clause is opposed by the lawyers of the House is one reason that commends it to my support. If this clause will only prevent the ruinous litigation which takes place in Ireland it will be most valuable. I know of one case where the rent was ¾d. a year, and where two neighbouring tenants spent hundreds of pounds in litigation, collecting the money for the legal expenses from their friends. If the sale of the land was conditional upon the consent of the tenants to settle these easements the tenants would soon come to terms. Instead of retarding sales this clause will facilitate them.

MR. SMITH-BARRY: I think that this proposal, although made with the best intention, is scarcely likely to carry out its object. I am afraid it will lead to more litigation than is supposed, but perhaps if the hon. Member were to amend his clause by inserting the words "at the request of the tenants," all objections might be met.

(10.45.) The House divided:—Ayes 184; Noes 47.—(Div. List, No. 266.)

(10.58.) MR. M. HEALY: I beg to propose, after the word "where," at the commencement of the clause, to leave out the word "any," and insert "all the tenants." As the clause stands, any one tenant who purchases his holding has the right to cite any other tenants before

the Land Commission. When all the tenants on an estate purchase, and when the land passes completely out of the landlord's hands, you may well say the Land Commission shall have power to adjudicate on the rights of the tenant, but where only a fractional part of the tenants purchase, I am surprised it is proposed that one or two tenants purchasing shall have the power to drag all the other tenants before the Land Commission, and have the Land Commission determine summarily all questions relating to boundaries, and so on. I say there is no justification whatever for taking the case out of the charge of the ordinary legal tribunal, and I am amazed that the right hon. and learned Gentleman should have consented to do so. I beg to move the substitution of the words "all the" for "any."

Amendment proposed, after the first word "Where," to leave out the word "any," in order to insert the words "all the,"—(*Mr. M. Healy,*)—instead thereof.

Question proposed, "That the word 'any' stand part of the Clause."

*(11.3.) MR. MADDEN: The Government cannot accept that Amendment. The clause will, however, have to be altered slightly, in order to make the intention of the House clear.

*MR. KNOX: I think the clause by no means meets the necessities of the case. It is almost impossible to imagine how a question of turbary can be decided under it as it stands, without prejudicing the interests of adjoining tenants. In the case of a dispute between a landlord and a purchaser the Court may come to a decision without knowing about the claims of adjoining tenants who have not purchased, and seriously affect their interests. I think the clause should only apply to those cases in which the whole of the tenants on an estate have agreed to purchase at once.

(11.6.) MR. SEXTON: The question of turbary may be common to all the tenants on an estate. Yet by this exceedingly raw and crude proposal two or three of the tenants who happen to buy may go into the Land Commission Court and have a question settled which affects not only them, but numbers of other tenants. I think that would be most disastrous. I cannot imagine why it is necessary thus to pile question upon question, involving delay and expense. Why should this matter be taken out of the hands of that cheap tribunal—the County Court?

*MR. MADDEN: If the alteration is made which I have to suggest the jurisdiction will only exist in cases where the claim is made by one purchasing tenant against another, and against him alone.

(11.8.) COLONEL WARING: This proposition appears to complicate things considerably. A tenant may buy his farm. He may have a dispute with the adjoining tenants, one of whom has purchased, while the other has not. In one case he will be obliged to go before the Land Commission, and in the other before the County Court Judge. Is that simplifying the matter? The arrangement now in force works very well, and the alteration will only lead to confusion.

COLONEL NOLAN: The hon. and gallant Member for South Antrim described just now how many dozens of heads were broken over one of these disputes. I really think the House ought not to whittle down the effects of the last Division. It was by no means a Party vote. I am well acquainted with this question of turbary, and I declare that neither this nor any other clause will settle it.

Question put, and agreed to.

(11.12.) MR. MACARTNEY: I wish to move to insert, in line 2, after the word "shall," the words "if requested by them." I am strongly opposed to this clause. Great difficulties will be created on estates where only a portion of the holdings have been sold.

Amendment proposed, in line 2, after the word "shall," to insert the words "if requested by them." — (*Mr. Macartney.*)

Question proposed, "That those words be there inserted."

(11.14.) MR. A. J. BALFOUR: If I may offer advice to my hon. Friend opposite, it will be that he should accept this Amendment. I am not quite sure whether the words proposed are the best

likely to carry out his intention. I understand his object is to leave it to the contracting parties to voluntarily bring in the Land Commission as judges in this matter. Probably the best words would be "if they think fit," or "where the agreement for sale so provides." It would conduce to the harmony of these proceedings if some such Amendment were accepted.

MR. SEXTON: If such a suggestion had been made half an hour ago by the right hon. Gentleman it would have saved much debate.

Amendment, by leave, withdrawn.

Other Amendments made.

(11.21.) MR. PIERCE MAHONY: In line 6 I propose to add words giving the power to appoint Sub-Commissioners for the purpose of enabling them to hold a local inquiry.

Amendment proposed,

In line 6, after the word "estate," to insert the words "and may appoint a Sub-Commission for the purpose of holding any inquiry which they may deem necessary." — (*Mr. Pierce Mahony.*)

Question proposed, "That those words be there inserted."

(11.23.) MR. M. HEALY: My opinion is that at present the Land Purchase Commissioners have no power to appoint Sub-Commissioners. This would consequently be an innovation of doubtful wisdom. If when you have one County Court Judge doing work of this kind you dispense with his services and appoint three gentlemen in Dublin, you will have to send them into the country to decide a trumpery case which might well have been left to the County Court Judge.

(11.25.) COLONEL WARING: I take it the Land Commissioners will be men of common sense, and after what has been said they probably will not trouble themselves at all about this clause.

Amendment, by leave, withdrawn.

MR. M. J. KENNY: I beg to move the omission of the last three lines of the clause. I think they are totally unnecessary.

Amendment proposed, to leave out from the word "but" to end of Clause. —(*Mr. M. J. Kenny.*)

*MR. MADDEN: In my opinion these words are unnecessary.

(11.27.) MR. M. HEALY: Will the right hon. and learned Gentleman tell us what will be the nature of the procedure of this Court? Will it proceed by affidavit, or take evidence in Court? What does the clause as it stands mean? I have not the slightest idea.

Amendment negatived.

Question proposed, "That the Clause as amended, be added to the Bill."

MR. T. M. HEALY (Longford, N.): I shall take the sense of the House upon this clause. I regard it as a thoroughly bad one. It is utter nonsense. The only hope I have is that the Land Commission will exercise common sense, and refuse to put the clause into operation. We are now told that it will only operate in the case of simple disputes. In the course of my experience in the Law Courts I have never heard of such a limitation. There was no procedure laid down in the clause, but whatever manner of deciding the case is adopted, it will necessarily be imperfect and unsatisfactory.

The House divided:—Ayes 144; Noes 85.—(Div. List, No. 267.)

*MR. LEA: I rise to move the clause standing in my name.

MR. SEXTON: I rise to order. I submit that the clause standing in the hon. Member's name is one that cannot be accepted, inasmuch as it is in direct contravention of Clause 14.

*MR. SPEAKER: Inasmuch as the Land Commission have jurisdiction in matters included in this Bill, I think a clause dealing with the powers of the Land Commissioners would be in order.

*MR. LEA: I beg to move that the Debate be now adjourned, seeing that the clause which stands next in my name deals with a matter of great importance.

MR. SEXTON: I shall oppose the Motion, and I cannot see why we should be placed at a disadvantage by the hon. Member. If it is pressed I shall divide.

*Mr. T. W. RUSSELL: This is probably one of the most important questions that can be dealt with in the whole Bill, and there should be ample time for its consideration.

*Mr. SPEAKER: The hon. Gentleman has not moved yet.

*Mr. LEA: The new clause I have to move is as follows:—

"Nothing in section seventeen of 'The Purchase of Land (Ireland) Act, 1885,' shall be deemed to limit the jurisdiction of any member of the Land Commission under Part V. of 'The Land Law (Ireland) Act, 1881, and the Acts amending the same, and anything done by any member of the Land Commission in carrying the said Acts into effect shall be as valid and effectual as if it were done by the Land Commission: Provided that any person aggrieved by the decision of any Commissioner acting alone in carrying the said Acts into effect, may require his case to be reheard by three Commissioners, of whom the Judicial Commissioner shall be one, but none of such Commissioners shall be the Commissioner before whom the case was originally heard.

All rules to be made by the Land Commission for carrying into effect the Land Purchase Acts, as amended by this Act, shall be made by a majority of the Commissioners, which majority shall include the Judicial Commissioner."

The hon. Member for West Belfast complained of disadvantage, but I believe the greatest disadvantage will be to myself; for when I withdrew my clause in Committee the hon. Member said he would make it hard for me on the Report stage. In having to move the clause at this hour—close upon 12 o'clock—I shall not be able to reply to the numerous speeches which hon. Members will make, so that the advantage lies with those gentlemen. This clause stood first in the name of my hon. Friend the Member for South Tyrone; but, owing to illness, he did not move it, and I adopted it in principle, though not in words. I am rather surprised that during the Debates we have heard so little with regard to the question of administration; and yet it is one almost more important than legislation itself. Ulster has never been properly considered in this question of administration. Over and over again complaint has been made that that province is scarcely represented on the Land Commission, and not at all on the Land Purchase Commission. A good many people might fancy that there is no further need of administration with regard to this matter; but in four or five important particulars the Bill is entirely different to the system of the Ashbourne Act or that which the Land Purchase Commissioners had to administer up to the present time, and these are reasons why the present Land Purchase Commissioners, as at present constituted, cannot properly administer this Bill.

It being Midnight, Further Proceeding on Consideration, as amended, stood adjourned.

Bill, as amended, to be further considered to-morrow.

PUBLIC ACCOUNTS AND CHARGES [PAYMENTS.]

Resolution reported,

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, and, so far as those moneys are insufficient, out of the Consolidated Fund, of any sums lent by the National Debt Commissioners for the commutation of annuities under 'The Light Railways (Ireland) Act, 1889,' in pursuance of any Act of the present Session, to amend certain provisions of the Law with respect to money charged on or payable out of the Consolidated Fund, and with respect to Public Accounts."

Resolution agreed to.

PUBLIC ACCOUNTS AND CHARGES BILL.—(No. 252.)

Considered in Committee.

Committee report Progress; to sit again to-morrow.

FORGED TRANSFERS (No. 2) BILL. (No. 323.)

Considered in Committee, and reported, without Amendment; read the third time, and passed.

MERCHANT SHIPPING, 1890.

Copy ordered, "of Tables showing the Progress of British Merchant Shipping."—(*Sir Michael Hicks Beach.*)

Copy presented accordingly; to lie upon the Table, and to be printed [No. 269.]

House adjourned at ten minutes after Twelve o'clock.

HOUSE OF LORDS,

Friday, 5th June, 1891.

BRINE PUMPING (COMPENSATION FOR SUBSIDENCE) BILL.—(No. 131.)

Referred to the Examiners.

FORGED TRANSFERS (NO. 2.) BILL.

Brought from the Commons, read 1ª; and to be printed. (No. 147.)

SEAL FISHERY (BEHRING'S SEA) BILL,

Brought from the Commons; read 1ª; and to be printed, and to be read 2ª on Monday next; and Standing Orders No. XXXIX. and XLV. to be considered in order to their being dispensed with. (No. 148.)

ROYAL NAVAL VOLUNTEERS.

QUESTION—OBSERVATIONS.

VISCOUNT SIDMOUTH, who had upon the Paper the following Notice:—

"To call attention to the position of the Corps of Royal Naval Volunteers as it will be affected by the proposed action of the Board of Admiralty,"

said: My Lords, I am afraid that by a misunderstanding of mine I may have caused inconvenience to some noble Lords who may have wished to come down and speak on the position of the Royal Naval Volunteers. I understand that the document to which I was about to refer not having been laid on your Lordships' Table, I should be out of order if I were now to refer to it. The course I propose to take, therefore, is to ask the noble Lord who represents the Admiralty whether he would object to lay on the Table of the House the Report of Sir George Tryon's Committee upon the subject of the Royal Naval Volunteers.

LORD ELPHINSTONE: There is no objection whatever to laying on the Table the Report to which my noble Friend alludes.

MUSEUMS AND GYMNASIUMS BILL.

(No. 57.)

SECOND READING.

Order of the Day for the Second Reading, read.

*LORD THRING: My Lords, this Bill has passed through the House of Commons without any opposition. It is approved by the Local Government Board, and I am sure its purposes will commend it to your Lordships. The first part relates to museums. At the present moment both Rural and Urban Authorities have power to establish museums free of charge. The object of this Bill is to allow Urban Authorities—not Rural Authorities—to establish museums, and to charge during a part of the week for the use of those museums for the purpose of giving lectures, or other purposes of education. The Bill reserves free of charge three days of the week; during the remainder of the week a museum may, as I have said, be used for lectures or other purposes of instruction. In a great many small towns, where they have not sufficient facilities or room for such purposes, this will be a very useful measure indeed; and, further, the expense of establishing museums which shall be free of charge is very heavy. The object of this Bill is, first of all, to encourage the smaller towns to establish museums by enabling them to earn something in those museums; and, secondly, which is a very good object to afford, as I have said, a place in which the inhabitants may meet, and where lectures may be given and instruction afforded for a small charge. The second branch of the Bill is of wider scope. Gymnasiums can be formed at present, but oddly enough only under the provisions of the Baths and Washhouses Act, which allows swimming baths, used for that purpose during seven months of the year, to be used as a gymnasium during the winter months. That is the only way in which a gymnasium can be formed. I need not impress upon your Lordships the great advantages of gymnasiums. We all know how much drill and athletics have come into vogue, and how greatly they have been encouraged both in the army for the purpose of expanding the chests of the younger soldiers, and in schools for improving the physical condition of the children. The Swedish drill is, I believe, now used in all our elementary schools. I need not, therefore, insist upon the necessity for gymnasiums, and the object of this part of the Bill is to enable Urban Authorities to establish them without having necessarily to make them out of

An Asterisk at the commencement of a speech indicates revision by the Member.

swimming baths. As in the case of the museums, the gymnasiums are to be open free of charge for not less than three hours a day on five days a week; and the Bill further provides that during 24 days in the year these gymnasiums may be let. Therefore, the second part of the Bill is somewhat different in its scope, though its objects are similar to that comprised in the former part of the Bill. Shortly stated the object is, as I have said, to enable the smaller towns to form gymnasiums, and to maintain them without having the whole amount of the expense thrown upon the rates. It has passed so far without opposition, and I trust your Lordships will give it a Second Reading.

Moved "That the Bill be now read 2ª." —(*The Lord Thring.*)

THE MARQUESS OF BATH: Will the noble Lord state to the House what the rating powers are under this Bill, and what is the maximum of the rating it is in the power of the Local Authority to impose for the purpose of carrying out the provisions of the Bill?

*LORD THRING: The rate is not to exceed a halfpenny in the £1. I should also state that the Act may be adopted without a poll. Under the existing Acts Urban Authorities are required to take a poll; but they may, by resolution, adopt this Act without taking a poll.

LORD HENNIKER: Perhaps your Lordships will allow me to say one word on the part of the Government. The noble Lord who has charge of the Bill has explained its objects so fully—and it is a very simple measure—that it is, I think, quite unnecessary for me to make more than two or three remarks upon it. All I have to say is this: it has passed through the House of Commons with the approval of the Local Government Board. The President of the Local Government Board, and those who advise him, approve of it in its present shape, with one or two small exceptions. Some small amendments have been put before the noble Lord who has charge of the Bill. I believe he accepts those amendments, and under those circumstances, on the part of the Government, I have nothing to say except that I approve it.

On Question, agreed to.

Lord Thring

Bill read 2ª (according to order) and committed to a Committee of the whole House on Monday next.

REFORMATORY AND INDUSTRIAL SCHOOL CHILDREN BILL.—(No. 125.)

SECOND READING.

Order of the Day for the Second Reading, read.

*LORD MONKSWELL: My Lords, this is a Bill which has been successfully piloted through the House of Commons by my hon. Friend Mr. Howard Vincent. The Bill is very short and simple, but the changes it proposes to make in the law are great. They are changes, however, which I think your Lordships will unanimously agree should be carried out. The Bill proposes to abolish the right of parents of children in Industrial and Reformatory Schools, where they have been maintained and educated for a time, to have those children home again at the end of their period of detention, which, in the case of Industrial Schools, is until they are 16, and, in the case of Reformatory Schools, until somewhat later in life. Your Lordships will observe that this Bill does not in any way interfere with the wishes of the children themselves. There is nothing in it to prevent children going home if they wish to do so. The only object of it is to prevent parents compelling children, against their wish, to go back to homes where, possibly, they will be taught extremely bad habits, and be placed in circumstances which will lead to their relapsing into crime. The principle of this Bill has been already conceded in a Bill which has passed this Session, namely, the Custody of Children Act; and the measure is substantially a reproduction of certain clauses in the Reformatory and Industrial Schools Bill, which was passed by your Lordships' House last year. I need scarcely say that the present state of the law is really a matter of despair to the managers of schools. They too often see that the care they have taken in the instruction and moral education of the children who have been in their charge has been absolutely lost in the present condition of the law. I observe that in the memorandum to this Bill statistics are given from the well-known Reformatory School at Feltham,

and I may say that I know something of that school, as I am Chairman of the Committee of Management. It is an exceedingly large school, containing over 900 boys. Two hundred of the boys are out on license. I may point out that the statistics put forward from this school are valuable, because we have special opportunities of finding out the future career of the boys for three years after they have left the school. We have an officer whose duty it is to follow up the boys for that period, and there are hardly any of them who escape his vigilance. The statistics are, therefore, absolutely truthful. We find that out of 1,000 boys who are sent back to their homes after the expiration of their period of detention, 169 relapse into crime; whereas of the same number of boys who are sent to some employment by the managers of the school, or are sent elsewhere, and thus preserved from the contamination of their homes, only 69 relapse into crime. That is to say, the law itself in its present condition deliberately makes criminals of 100 out of every 1,000 of those boys who are sent home from that school. Under those circumstances, it is, your Lordships will admit, stating no more than the fact to say that the law itself, after having provided for these children being taken out of the gutter, and for their being fed and clothed and educated at great expense to the public in these schools, obliges them to go back into the gutter, where so many of them relapse into crime. In Great Britain there are about 1,500 boys sent back every year to their homes from industrial and reformatory schools; that means that the state of things which I have described, namely, sending boys back to become criminals against their own wish, putting them into temptation which they would gladly themselves get out of, affects as many as 150 boys a year. That is to say, the law itself deliberately makes 150 boys into criminals, who, if the law was altered, would be converted into respectable citizens. You may do three things with the boys going from these schools—you can either send them home to their parents, who have, in too many cases, driven them to commit petty thefts in order to get them boarded, lodged, and educated at the expense of the State; you have parents who get rid of all responsibility towards their children in that way, and who only ask to have them back again for the purpose of getting money—directly the children are able to contribute anything towards the family exchequer they are taken home again. The second thing you can do is to send the boys to places which may be found for them elsewhere than at their homes, that is, into some employment which may be found for them by the managers of the schools, employment where sometimes they can be got at by their old associates. There are some statistics quoted here to which I should like to refer your Lordships. Out of the boys sent to employment otherwise than to their homes from Feltham School who relapsed into crime, the great majority did not relapse into crime while in their employment, but had left their situations at the solicitation of their former companions. Their old associates find them out and entice them away from their employment, and then it is that they relapse into crime. Another thing which you may do with boys is to emigrate them, and so prevent them being contaminated by their old companions and associates. That, I venture to think, is the best plan to take with these boys, and the statistics bear me out as to that, for out of 76 boys emigrated to Canada during the last three years, only one has relapsed into crime. But even here the law does all it can to thwart and baffle us in our endeavours to give these boys the opportunity of making a better future for themselves, for the consent of the parents has to be obtained, and we find that in only one case out of four will the parents consent to the emigration of these boys. There will be no difference of opinion, I think, among your Lordships, as to the beneficial effect of this Bill. I have only spoken as to boys, and I do not propose to say anything about girls, because I have no special knowledge of reformatory and industrial schools for girls; but it must be very evident that the same arguments apply with even stronger force in their case as to the extreme undesirability of sending them back to their old associates. This Bill will undoubtedly do a great deal of good, and there may, on the other hand, be said of

it what cannot be said of many Bills, it is perfectly certain it will do no harm at all, and I hope, therefore, your Lordships will read it a second time. There is only one further observation I have to make: my noble Friend Lord Camperdown has suggested that the Bill might be applied to Scotland. So far as I am concerned, I should be very glad if the Bill could be applied to Scotland; but if there is any danger from delay, or of the Bill being wrecked in the House of Commons by any addition of that kind being made to it, I should ask your Lordships to pass this Bill without amending it as the noble Lord suggests.

Moved, "That the Bill be now read 2ª." —(*The Lord Monkswell.*)

THE EARL OF COURTOWN: As the noble Lord has stated that the Earl of Camperdown has suggested that the Bill should be amended by being made applicable to Scotland, I would make the same suggestion with regard to Ireland. I am not very well acquainted with any such schools in that country, but unless the noble Lord who has charge of the Bill objects, it appears to me that what is desirable to be done in England and Scotland would also be desirable for Ireland.

THE EARL OF CAMPERDOWN: The Bill appears to me, from what I understand of it, to be a very good one, but I confess I do not know what is meant by the saving clause that the Bill is not to apply to Scotland or Ireland. I should be very sorry to do anything to imperil the passing of the Bill, and if it is stated that embodying any Amendment of that sort would be fatal to the Bill, I should not press it; but I own that at the present time I think some reason ought to be given why a Bill, which appears on the face of it to be a good one, and to be equally applicable to other parts of the three Kingdoms, should not be extended to Scotland.

*EARL STANHOPE: I think this is a most useful Bill, but I deprecate its being extended to Scotland and Ireland. As my noble Friend Lord Camperdown will see, there is a very long list of measures waiting for consideration in the House of Commons, and I think even such a small Bill as this would, if any delay arose, run the risk of not being passed this Session. Therefore, though I agree with my noble Friends who have last spoken that this Bill should be extended to Scotland and Ireland, I think it would be better for this Session to allow it to apply only to England. As a manager myself of an Industrial School in Kent, I may say that I think this is a most valuable Bill for the purpose of enabling managers of these institutions to apprentice boys, without their parents having power to exercise a veto on their being apprenticed, and also for enabling managers to emigrate boys to Canada or elsewhere. I am sure this is a most useful measure; and I am confident that every manager of an Industrial School will hail the Bill with pleasure.

*LORD DE RAMSEY: My Lords, the Secretary of State assented to this Bill in the other House on the distinct understanding that if it were found possible to introduce a Government measure dealing with Reformatory and Industrial Schools, this Bill should stand aside so that the subject might be dealt with as a whole; but, unfortunately, the chance of passing such a measure appears to be a rapidly diminishing one, and this Bill being virtually a reproduction of the 17th clause relating to Reformatory Schools, and the 21st clause relating to Industrial Schools in the Government Bill, the Government hope that this Bill may be read a second time. It is only part of a measure which it was hoped would be a very valuable one, but to obtain a part of it is better than having none at all. The clauses mentioned are based on the Report of a Royal Commission, and the principle of them has already been assented to by your Lordships. With regard to extending the measure to Scotland there is no objection whatever if it is thought well to apply it to that country; but as regards Ireland I hope the noble Earl who made the suggestion will defer the question until a further stage.

THE EARL OF COURTOWN: I do not press it.

*LORD DE RAMSEY: Under these circumstances, I hope your Lordships will give the Bill a Second Reading.

On Question, agreed to.

Bill read 2ª (according to order), and committed to a Committee of the Whole House on Monday next.

HABITUAL DRUNKARDS.

LORD HERSCHELL, in rising to call attention to the punishment of habitual drunkards; and to move that it is expedient that an inquiry should be instituted to ascertain whether some better method of dealing with such cases cannot be substituted, said: My Lords, somewhat more than a year ago, in calling attention to the subject of inequality of sentences, I referred incidentally to the treatment of habitual offenders convicted of drunkenness. Naturally enough the observations of my noble Friend on the Woolsack were on that occasion entirely devoted to the main topic which I then introduced to the notice of the House, and no reference was made to this subject. I think, therefore, that I need make no apology for calling attention to it now, especially in connection with the facts stated in a Petition which I have to present from the Reformatory and Refuge Union and the Central Committee of the Discharged Prisoners' Aid Societies of Great Britain and Ireland. It appears that the number of commitments every year amount in the United Kingdom to 250,000, and those commitments are distributed between the three countries in this proportion: 160,000 in England, 47,000 in Scotland, and 44,000 in Ireland. For some reason, I do not know exactly what, the proportion of commitments in the three Kingdoms differs very considerably. In England the ratio of commitments per 1,000 of the population is—males, 4·1, females, 1·5; Scotland, males, 6·8, females, 4·2; Ireland—which stands between the other two countries in number of commitments—males, 5·5, females, 3·3. In other words, that is to say, in England there is 1 commitment to 190 of the population; in Scotland 1 to 80: in Ireland 1 to 100. The 250,000 commitments are believed to represent, according to an approximate estimate, only about 145,000 individuals—viz., 112,000 men and 33,000 women. That is on account of the very numerous commitments which occur in individual cases. Of the 33,000 women, who represent 77,000 commitments, 11,000 had had 10 imprisonments and upwards recorded against them; of the 112,000 men 16,250 had a like number of imprisonments, that is more than 10 times, so that it will be seen that the proportion of the repeated convictions is much greater in the case of women than in the case of men—in fact, it is over 60 per cent. more in the case of women than it is in the case of men. Of those commitments of females your Lordships ought to know that the great majority are in respect of drunkenness. In fact, over 50 per cent. of the total commitments of women were for drunkenness alone, and 80·85 per cent. for drunkenness and closely-allied offences, such as disorderly conduct and breaches of the peace. When we turn to individual towns we find that the same results are to be seen on a survey of the commitments throughout the whole country. There are cases where, in a single year, the same person is committed to prison for drunkenness as many as 52 times. A considerable number are committed from 30 to 52 times yearly: that is to say, there are persons who are brought before the magistrates and sentenced to imprisonment—the same persons—every week in the year. During the past year in Glasgow, where the number of commitments to prison of women exceed that of any other town in the Kingdom, there were 10,500 commitments. Of those 10,500 commitments, 450 women alone were responsible for 4,000; they had been committed, many of them from six to a dozen times, and some of them as often as 34 times. So that out of that very large number of commitments, it will be seen that a very limited number of persons are responsible for a very large proportion of them, something like 40 per cent.; and it is a very common case with many of these women that they return to prison on the day they are released or the day after. At Millbank during the past year this was the experience. I have some particulars from Millbank Prison also, where it appears that during the past year there were imprisoned under short sentences 105 women, all of whom had been convicted more than 40 times, and there were 56 of them who had been convicted upwards of 50 times. Those were the numbers of women undergoing sentences in one prison alone, Millbank, in a single year. I will only trouble your Lordships with one or two

other facts. The Chaplain of Millbank Prison, who gives these particulars, states that one woman had upwards of 400 convictions against her; but as her husband, a small landlord, had paid nearly £200 in the shape of fines on her behalf, she must have been taken to the Police Court more than 600 times. I give your Lordships these facts and figures, which are really of a very startling, and I may say, appalling nature, because one knows that in the case of these women they not infrequently become the mothers of children, and when your Lordships remember that, unfortunately, proclivity to alcohol is now believed to be to a considerable extent hereditary, it will be seen at once that the disaster to the country is not represented merely by the effect upon the unfortunate people immediately concerned, of whose committals I have just been speaking. The object of punishment may be either that it shall act as a deterrent or as a preventive, or for reformatory purposes; but whether the punishment inflicted be regarded as a deterrent or as a preventive, or for reformatory purposes, in whatever light it may be regarded, I do not think it can be doubted that the facts to which I have called your Lordships' attention show that the existing system has completely broken down, and is really a disastrous failure. We are continually inflicting these punishments without producing the slightest effect, without benefiting the individuals who are thus dealt with, without deterring them from repeating the conduct which has led to their imprisonment, and without in the slightest degree its acting as a deterrent to others. And I do not think it is at all wonderful that these short terms of imprisonment are not productive in the case of habitual drunkards of any beneficial result. The truth is they are not long enough. The persons committed are not long enough under any kind of control, or subjected to the necessary moral teaching. No one can expect that any sort of beneficial moral result is likely to be obtained by such short commitments, and we cannot expect that by the present system we shall ever really do any better than we are now doing. I am not, however, prepared to suggest what change is necessary. I am not going, myself, to lay down the principles upon which we ought to proceed, because I admit that a great deal of consideration would have to be given to the matter before ultimately determining upon any change in the present administration of the law, or in the law which is at present administered. But I do think that the facts to which I have been calling your Lordships' attention, justify the Petition which I have to present from the authorities I have mentioned, who have devoted themselves to questions of this description and to the welfare of persons of this class, that there may be an inquiry into the matter in order to see whether we cannot make some change in the system which will produce better results. One suggestion made is that the only chance of success in the case of habitual offenders is to have a longer period of detention, in order that time might be given for the formation of better habits and for moral influences to be brought to bear upon those persons, as to whom, in many cases, it should be recollected this evil is more a disease that a crime. That seems to be the only hope of bringing about a better state of things. Of course, one sees at once that there would be a difficulty in sentencing persons to any considerable term of imprisonment for such an offence as this, even in the case of habitual offenders, for the reason that there would perhaps be a sentiment or feeling of inadequacy, a sense of disproportion between the punishment and the offence. But I do not think the same reasoning would apply, or that there would be the same sentiment at all, if it were frankly recognized that these people were to be detained really for their own good, and in the hope of curing them of an evil habit which is disastrous to themselves as well as to society; and I do not think, therefore, that if, instead of the present short sentences of imprisonment, there were a somewhat lengthened period of detention in an institution for the cure of inebriates, or in a department of our ordinary places of confinement which might be allotted specially to the treatment of these cases, there would be the same objection. That is one of the remedies which has been proposed, and which it has been said has been found in many cases to be successful. Although it is impossible to produce any beneficial

result by a short detention of two or three days or a week, it has been found that, where you can keep these persons from obtaining the means of becoming intoxicated for a longer period, and can bring moral influences to bear upon them, in very many cases the result has been eminently successful. As I have said, I am not now laying down the principles on which a change should be made, but that is one suggestion that has been put forward. All I am now urging is this: that the facts I have brought before your Lordships are sufficient to justify an inquiry whether something cannot be done to replace a system which it must be admitted has entirely broken down and proved a lamentable failure. As to the form which such an inquiry should take, I do not feel any particular concern: that I should be quite content to leave to Her Majesty's Government. What I should suggest as perhaps the simplest and least cumbrous form would be a Departmental Committee appointed by the Home Office, but I do not myself lay any stress upon the particular form which the inquiry should take. I do think it is not desirable that we should let the present state of things continue any longer, without at least making an effort to see what is best to be done, getting all the advice we can possibly get, and all the experience we can possibly get upon the subject in this and other countries, for the purpose of seeing whether some steps cannot be taken to amend the present truly lamentable state of things, which is not only disastrous and mischievous to the country, but calculated to impair respect for the law itself—a system whereby these persons can be sentenced to only short terms of imprisonment, without apparently producing the slightest advantage to themselves or anybody else. I beg to move for the inquiry stated in the Motion which stands in my name.

Moved to resolve—

"That it is expedient that an inquiry should be instituted to ascertain whether some better method of dealing with such cases cannot be substituted."—(*The Lord Herschell.*)

*LORD DE RAMSEY: My Lords, the noble and learned Lord has touched upon a most difficult and complicated subject. Legislation upon this subject has been rendered more difficult by the very evident intention of Parliament a few years ago to allow no compulsion whatever in the treatment of inebriates. The Act of 1879 really only passed the House of Commons on the distinct understanding that nothing in the shape of compulsion should be in the Bill. It was, therefore, virtually a tentative measure, and to a certain extent I must thoroughly agree with the noble and learned Lord, that it has not fulfilled the wishes of those who brought it in. The noble and learned Lord has given us some eloquent and terrible statistics of repeated, one may almost say continual, convictions. The Act of 1879 gives no power to increase the penalties for continued offences under that Act. The powers under that Act have been very much limited in the matter of inflicted penalties. But, my Lords, the great difficulty in this matter is that when an inebriate is taken to the home—or rather I should put it in this way, that when he or she voluntarily goes to the home in the one case, or is committed to it in the other—they are taken away from their usual employment. The only idea seems to be to keep them away from drink, and then they are turned out from the home again after perhaps a very short period of detention, or at all events a period not exceeding 12 months, probably without employment of any sort, and without any kind of supervision to keep them away from their old enemy. I agree with the noble and learned Lord that an inquiry may do good in this matter. As lately as 1888 the Inebriates' Act was passed, which was intended to help previous legislation, and if possible to better it; and it may interest your Lordships to know that in the Report of Mr. Hoffman there is this statement—

"The new Inebriates' Act"—

that is, the Act of 1888—

"Is working much more smoothly than the old one did, and when it becomes more generally known and appreciated, many, I presume, will avail themselves of the great advantages it affords."

Then he goes on to mention that other retreats are being opened upon the same lines as the Dalrymple Home, and he evidently, from his general remarks, anticipates that a larger number of indi-

viduals will avail themselves of these refuges. But, my Lords, the numbers of persons as we have them before us now upon these figures are really but drops in the ocean, and if any means could be devised, although this matter has already been thoroughly looked into by a Committee, if some suggestions could be brought forward which would by means of such changes as the noble and learned Lord has mentioned, or otherwise, without throwing a heavy cost on the rates of this country, enable inebriates to be dealt with in refuges where they would be looked after, and by some means brought back again to the condition of civilised beings, we should feel that we had obtained a valuable result for the time and trouble devoted to this subject. With regard to the Motion of the noble and learned Lord, I beg to say that there is no objection whatever to an inquiry.

On Question, agreed to.

BETTING AND LOANS (INFANTS) BILL [H.L.]—(No. 141.)

Amendments reported (according to order); and Bills to be read 3ª on Monday next.

SAVINGS BANKS BILL.—(No. 142.)

On Report of Amendments,

LORD HERSCHELL said: My Lords, there is a question which I should like to ask the noble Lord who has charge of this Bill with regard to a matter to which my attention has been called. Under the 16th section of the Trustee Savings Bank Act, 1863, there was power to make what were called "special investments." The 10th section of this Bill puts certain restrictions upon special investments being so made, and the last sub section (*i*), of the clause is this—

"The power to make special investments shall not be exercised by any bank unless the bank has exercised the power before the 20th November, 1890."

My attention has been called by the Trustees of an important savings bank to the fact that under the existing Statute, and in accordance with their own Rules, they have made special investments subsequent, and very shortly, I believe, subsequent to that date; and they do not see why that hard and fast line should be drawn at the 20th November, 1890, and why the time fixed should not be "after the passing of this Act." Of course, it is reasonable enough to make any regulations you please to come into force after the passing of an Act which it is thought expedient to make, but it does not seem reasonable to draw a line which is not drawn by the passing of the legislation, and to say here that all banks which may not before this arbitrary date have made these special investments shall not only be under restriction in making them in future, but shall not be authorised in having done so under the existing Statute, and under their rules. I do not know what the noble Lord may be able to state as to what reason there may be for fixing this particular date.

*THE SECRETARY TO THE BOARD OF TRADE (Lord BALFOUR of BURLEIGH): The reason for the clause is this: The power of making special investments has not in all respects worked very satisfactorily, and investments have been made in securities and in ways which are not properly, in the opinion of the Treasury and of the National Debt Commissioners, in pursuance of the powers and within the proper province of bankers—I mean investments which cannot be quickly realised with certainty at the prices paid for them when the investments were made. It is thought that no encouragement should be given to those investments in future. The object of putting in this date—the 20th November last year—was that any bank which had then exercised the power should not be arbitrarily interfered with; and the reason for not accepting the suggestion made by the noble and learned Lord, and letting the time run up to the passing of this Act, is the fear that banks which have not found the necessity of making these investments in the past might take alarm at the proposal to take the power away from them, and for the purpose of keeping the power might make investments between the bringing in and the passing of the Bill. The idea was that any bank which has not done it within the last seventeen years to the 20th November, 1890, is not prejudiced if the power is taken away as at that date. There is, of course, no Amendment actually before the House, and I sincerely hope the noble and learned

Lord will not press an Amendment of that kind, to do away with the period which has been fixed, without very careful consideration.

LORD HERSCHELL: I do not know when this Bill was brought in, but I should have thought it is not likely that banks would have rushed purposely into these investments because this Bill had been brought in. In fact, it was not noticed by the officials of this particular bank to which I have referred, until it was too late for any steps to be taken in the House of Commons, that there was any such prohibition. It was in consequence of that that they were led to make an appeal, which has induced me to make this intervention. I will wait for the Report to be received, but I shall then ask to have leave to move the Amendment I have proposed.

Report received.

LORD HERSCHELL: I propose now to amend Clause 10, page 6, by leaving out ("20th day of November, 1890,") in order to insert the words ("passing of this Act.")

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): I think it would be better, as we have no difficulty in this House at the stage of Third Reading, if the noble and learned Lord would give us notice of his Amendment. I should like to inquire a little more about this. I confess it sounds to me a very strange provision, and I should like to know a little more about it.

LORD HERSCHELL: Then I propose to move it on Third Reading.

Bill to be read 3ª on Monday next.

PRESUMPTION OF LIFE LIMITATION (SCOTLAND) BILL.—(No. 143.)

Amendments reported (according to order); and Bill to be read 3ª on Thursday next.

EVIDENCE IN CRIMINAL CASES BILL [H.L.]—(No. 144.)

Amendments reported (according to order); and Bill to be read 3ª on Monday next.

HERRING BRANDING (NORTHUMBERLAND) BILL.—(No. 92.)

Amendment reported (according to order); and Bill to be read 3ª on Monday next.

INDIA (MANIPUR).

Address for—

"Translation of the Conditions entered into by Rajah Gumbheer Singh, of Manipur, dated the 18th day of April, 1833; and of Correspondence between the Government of India and the Court of Directors in 1852 as to the relations between Manipur and the Government of India."—(*The Marquess of Ripon.*)

Paper laid before the House and to be printed. (No. 149.)

House adjourned at twenty minutes past Five o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 5th June, 1891.

PRIVATE BUSINESS.

PIER AND HARBOUR PROVISIONAL ORDERS (No. 1) BILL.

Lords Amendments considered and agreed to.

Motion made, and Question proposed,

"That it be an Instruction to the Committee on Pilotage Provisional Orders (No. 1) Bill, that they have power to insert Clauses providing compensation from local funds, or rates, or contributions from shipowners or certified masters or mates, for any persons whose interests they may deem to be affected by this Bill."—(*Mr. Llewellyn.*)

MR. COURTNEY (Cornwall, Bodmin): Since this Instruction was originally placed on the Paper, the hon. Member for Somerset (Mr. Llewellyn) has enlarged its scope. To the first part, which is in accordance with the Rules of the House, I have no objection. It is—

"That it be an Instruction to the Committee on Pilotage Provisional Orders (No. 1) Bill, that they have power to insert Clauses providing compensation from local funds, or rates, for any persons whose interests they may deem to be affected by this Bill."

But the hon. Member goes on to add—

"or contributions from shipowners or certificated masters or mates."

Now, shipowners or certificated masters or mates are not before the Committee, and I submit that it would be abnormal and quite out of order to empower the Committee to grant compensation to persons who have no *locus standi* to appear before the Committee. I therefore hope that the hon. Member will strike out that part of the Instruction.

MR. LLEWELLYN (Somerset, N.): If the Instruction is out of order, I beg to omit the words to which the right hon. Gentleman takes exception.

Question,

"That it be an Instruction to the Committee on the Pilotage Provisional Orders (No. 1) Bill, that they have power to insert Clauses providing compensation from local funds, or rates, for any persons whose interests they may deem to be affected by this Bill,"

—put, and agreed to.

QUESTIONS.

MANIPUR.

MR. MACLEAN (Oldham): I beg to ask the Under Secretary of State for India whether there is any record in the India Office of the acceptance, by Rajah Chandra Kirti Sinh, of Manipur, in 1852, of the "very material alteration in the relations of the Government of India with Manipur," described in the Despatch from the Court of Directors of the East India Company of 5th May, 1852, which has just been presented to Parliament; and (2) whether there is any official correspondence to show what action was taken by the Government of India in 1885, on the death of Chandra Kirti Sinh, to secure the recognition by the new Rajah, deposed last year and now living in Calcutta, of the position assumed by the British Government of "pledged protectors of the Rajah"?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The answer to the first paragraph of the question is in the negative. The answer to the second is in the affirmative. There is a Despatch of the 23rd of June, 1886, from the Chief Commissioner of Assam to the Government of India, and their reply of the 23rd of July.

MR. MACLEAN: Will the right hon. Gentleman produce these Papers?

*SIR J. GORST: Yes, Sir; if the hon. Member will move for them they will be given as an Unopposed Return.

MRS. GRIMWOOD.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for India whether he is aware that the only British ladies who are eligible for the Imperial Order of the Crown of India are the Royal Princesses and the wives and other female relations of former or actual Secretaries of State for India, Viceroys of India, and Governors of Madras and Bombay; and (2) whether he will consider the advisability of rendering all other British ladies who may, like Mrs. Grimwood, have performed distinguished services in India eligible?

*SIR J. GORST: The answer to the first question of the hon. Member is in the affirmative. In reply to the second, I have to say that my noble Friend the Secretary of State does not propose to suggest any alteration in the Statutes of the Indian Order of the Crown of India; but when the full official Reports of the attack on the Manipur Residency are received, he will gladly consider whether it is open to him to make any recommendation on Mrs. Grimwood's behalf.

MR. MACLEAN: May I ask if the right hon. Gentleman is in a position to give an assurance that Her Majesty's Government will be advised to confer a special mark of favour on this lady who, at a time of great personal and public peril, upheld the dignity and honour of the British name?

*SIR J. GORST: I am sorry to say that there are two difficulties in the matter. One is that no official Report has yet been received; and, secondly, as to the order or distinction which can be conferred upon this lady. There is an order for conspicuous bravery. I do not know whether that order is restricted to males or not, or whether the circumstances of the case are such as to bring Mrs. Grimwood within the purview of the conditions of that order. All I can say is that the Secretary of State, as soon as the official Report is received, will consider whether there is any mark of distinction which can be conferred upon Mrs. Grimwood.

PUBLIC HOUSE LICENCES.

MR. SHIRESS WILL (Montrose, &c.): I beg to ask the Lord Advocate if his attention has been directed to the fact that a keeper of a public house, called the Black Horse Inn, in Montrose, having applied for an extension of his licence to an upper flat of the same building previously unlicensed and entirely separated from the inn, the Licensing Authorities omitted to give any public notice of the application by advertisement, and further that, on the meeting of the Court in April last, although no one appeared in support of, or to ask for, such licence, the Magistrates granted the same; whether, in all such cases of application for extension of licence to portions of the same building not previously licensed, public notice by advertisement is necessary under the statute; whether it was lawful for the Magistrates to grant the application in the absence of the applicant or any one representing him; and whether, in the circumstances, there is any remedy or redress open to persons who were desirous of opposing the extension of the licence to the upper flat, and who, but for the absence of public notice of the application, would have opposed the same?

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I have no information at present, and must ask the hon. Member to give a longer notice of the question.

STRIKES.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of Hawkins, Taylor, and Smith, who were tried at the Middlesex Sessions on 21st May for alleged intimidation, and sentenced, the two former to three months', and the last to two months' imprisonment with hard labour; and whether, in view of the evidence tendered at the trial on behalf of the prisoners, he will inquire into the case, and consider whether the sentences may be reduced or remitted?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Yes, Sir; my attention has been called to this case, and I have asked the learned Judge to report to me upon it. He has not yet had time to do so, but will report in the course of a few days, and I will inform the hon. Member of the decision in due course.

GOVERNMENT CONTRACTS—MESSRS. SAMUDA & CO.

MR. SYDNEY BUXTON: I beg to ask the First Lord of the Admiralty whether Messrs. Samuda and Company are carrying out a Government contract; whether, in carrying out the work in connection with the contract, they have declined to comply with the ordinary trade conditions of work in force among the engineers and joiners; whether, in consequence, the members of the Amalgamated Society of Engineers have struck work; and whether the Admiralty intend to take any action in the matter?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): Messrs. Samuda are building two second-class cruisers, the *Sappho* and *Scylla*. I am informed that members of the Society in question have struck for the purpose of enforcing certain demands with respect to work on board the *Sappho*. I am not in a position to say whether these demands are reasonable or not, for I have no information on the subject.

MR. SYDNEY BUXTON: Will the noble Lord take means for discovering what the state of matters is.

LORD G. HAMILTON: No, Sir; it is no part of my duty to do so.

PARK KEEPERS.

MR. MACLURE (Lancashire, S.E., Stretford): I beg to ask the First Commissioner of Works whether it is true that the park-keepers in Kensington Palace Gardens and Hyde Park are kept on duty from 6 a.m. to 11 p.m. during the summer months; and whether he will consider how the hours of duty may be diminished?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): There are no park-keepers in Hyde Park, and with Kensington Palace Gardens I have nothing to do; but, assuming that my hon. Friend's question refers to Kensington Gardens, I have to say that it is true that in two of the

summer months—June and July—the park-keepers in every alternate week of those two months go on duty at 6 a.m. and come off at 9.30 p.m. ; but between those hours they have four and a quarter hours for meals—*i.e.*, two hours for breakfast, an hour and a half for dinner, and three-quarters of an hour for tea. Their case is, I think, not at all a hard one, and I have no reason to suppose that they are dissatisfied. In every alternate week of those two months the men go on at 8 a.m. and come off at 9.30 p.m., having two and a quarter hours for their dinner and tea. During the other 10 months the hours vary according to the time of year, the minimum being seven hours at midwinter. I wish we were as well off in the House of Commons.

SEA WALL AND PROMENADE AT TEIGNMOUTH.

MR. SEALE-HAYNE (Devon, Ashburton): I beg to ask the President of the Local Government Board why, in reference to the re-construction of the sea wall and promenade at Teignmouth, Devon, which was injured by the storm of the 9th of March last, a period of 11 weeks' delay has taken place from the date of the application of the Teignmouth Local Board (25th March), for sanction to borrow £1,700 to re-construct the wall, and the holding of the official inquiry by the Local Government Board fixed for the 11th instant; and whether, having regard to the great importance to the amenities of Teignmouth as a watering-place of the speedy restoration of the sea wall and promenade for the use and benefit of visitors during the approaching season, he will take steps to expedite the requisite official sanction of the loan required by the Local Board?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): For some time past there has been considerable pressure on the Engineering Inspectors of the Local Government Board. I may, at the same time, observe that although the application for sanction to the loan was made at the date mentioned, some time elapsed before the Board was furnished with the plans and other particulars in respect of the proposed works which were requisite. The notices for the Inquiry were issued on the 29th of last month, and there will be every desire to communicate promptly to the Local Board the decision on their application after the Inquiry has been held.

BRITISH GUIANA.

SIR R. TEMPLE (Worcester, Evesham): I beg to ask the Under Secretary of State for the Colonies whether, since the Royal Proclamations of 1886 and 1887 relating to the interior of the Colony of British Guiana, any surveys have been made thereof, or steps taken to exploit and develop the same by means of railways or other means of communication, with a view to its colonisation?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam) (for Baron H. de WORMS): Extensive surveys have been made on the Rivers Amacoora, Barima, and Barama, in the North-West District of the colony, during the past two years. A scheme for combined railway and river communication between Georgetown and the gold districts in the interior of the colony was recently submitted by the Colonial Government to the Combined Court, but was rejected by that Body. The Governor has appointed a Commission to investigate and recommend the adoption of railways or tramways, or other means, to give greater facilities for reaching the gold fields. This Commission is now at work.

HOURS OF LABOUR FOR CHILDREN.

MR. MACLEAN: I beg to ask the Under Secretary of State for Foreign Affairs if he can inform the House what is the minimum age at which children in the countries represented at the Berlin Conference may be employed for hire in factories and workshops, and the number of hours per diem during which children of the minimum age may be so employed; and in which of these countries there is a staff of Factory Inspectors charged with the duty of enforcing the law as to hours of labour in industrial establishments?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The information desired by my hon. Friend in the first part of his question will be found on pages 68 and 69 of the Report of the Chief Inspector of Factories, 1891. As regards the second paragraph,

I am unable to-day to reply to my hon. Friend, as the Reports which would give the information have been sent to the Home Office, and I have been unable this morning to obtain access to them. The Reports which were called for as to legislation abroad to carry out the recommendation of the Berlin Labour Conference are nearly ready for presentation.

MR. MACLEAN: What I asked for was information of a later date than that contained in the Report.

*SIR J. FERGUSSON: It is probable that the information the hon. Gentleman wishes for is in the Reports I have referred to. If my hon. Friend will repeat the question on Monday, I shall be able to tell him.

BIRSTAL CONVICT PRISON.

MR. E. KNATCHBULL-HUGESSEN (Rochester): I beg to ask the Secretary of State for the Home Department if he will explain why the lodging allowance of one of the night watchmen at Birstal Convict Prison has been stopped since 1st June, 1891, although he is unable to occupy the quarters assigned to him, owing to their dirty and dilapidated condition?

MR. MATTHEWS: I am informed by the Directors of Convict Prisons that they have no knowledge of the matter referred to, which would not, in the ordinary course, come under their review till the end of the month. In the meantime, however, a Director will be visiting the prison, and he will investigate the complaint.

THE MEDWAY RIVER.

MR. E. KNATCHBULL-HUGESSEN: I beg to ask the Secretary to the Admiralty whether it is necessary to keep the moorings which have not been used since H.M.S. *Hydra* left the Medway River; and whether, if they are required, the Dockyard authorities will cause a lighter to be placed at them to indicate their position, and thus prevent great and continuous loss to the fishermen by injury to their nets?

THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD, Lancashire, S.W., Ormskirk): The question of the hon. Member only appeared on the Paper this morning. I must therefore ask him to defer it until Tuesday next.

PRISONS ACT AMENDMENT BILL.

MR. CHANNING (Northampton, E.): I beg to ask the Secretary of State for the Home Department whether, having regard to the admitted desirability of exempting certain classes of prisoners from the rules of prison treatment drawn up for ordinary criminals, he will assent to the Second Reading of the Prisons Act Amendment Bill, subject to any amendments, legal or administrative, which the Home Office may think necessary?

MR. MATTHEWS: I regret that I do not feel able to assent to the Second Reading of the Prisons Act Amendment Bill, which makes changes in the law larger and more sweeping than have ever been admitted to be desirable by myself or by my predecessors in office. I can only refer the hon. Member to an answer I gave on March 15th, 1889, to a similar question from the hon. Member for the Spalding Division.

EMIGRATION AND IMMIGRATION.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the President of the Board of Trade whether his attention has been called to the following passage in the recent Report of Mr. Giffen on Statistics of Emigration and Immigration—

> "The difficulties of obtaining a Return of the number of foreigners proceeding from this country to European countries, it may be pointed out, can only be overcome by legislation . . . The alien lists now dealt with, it must always be understood, relate to one side of the account only: "

—and whether, having regard to the importance of accurate information on the subject, the Government would be prepared to legislate during the present Session with a view to supply the omission above referred to?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): My attention has been called to the passage quoted by the hon. Member. It appears from the Report itself that very full information has, in fact, been obtained with existing means, and there is little doubt practically as to the extent of the immigration in question, although the statistics are formally incomplete, and are not obtained under statutory sanction. The question of applying for further legislative powers is now engag-

ing my serious attention. I should not hesitate to do so if I was convinced that any practical good would result from such powers. But I do not think it would be advisable to do anything which might interfere with the ordinary passenger traffic, and generally interrupt trade, without materially adding to the information on the subject.

EDUCATION GRANTS IN SCOTLAND.

MR. PARKER SMITH (Lanark, Partick): I beg to ask the Secretary to the Treasury whether, considering the great hardship and disorganisation of education that would arise from the immediate enforcement of the recent decision of the Committee of Public Accounts with regard to conditions of education grants in Scotland, he will be prepared to take such steps that that decision shall not come into force during the year now current, so that it shall not have a retrospective effect, and so as to give the School Boards concerned time for the reorganisation required in consequence of the new interpretation of the law?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The Report of the Committee of Public Accounts to which the hon. Member refers has only been in our hands for a short time. The Treasury is awaiting a communication which has been asked for from the Scotch Education Department as to the effect of the recommendation of the Account Committee, and as soon as that has been received we shall be in a position to determine what course to take upon the Report of the Committee.

EMIGRATION TO BRAZIL.

MR. BYRON REED (Bradford, E.): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to the shocking treatment of certain British subjects, natives of Bradford, in Brazil, they having emigrated to that country; and whether Her Majesty's Government can take any steps to put a stop to the fraudulent action of emigration agencies which appear to be responsible for this state of things?

*SIR J. FERGUSSON: The attention of this office has not been called to the specific cases referred to by the hon. Member, but many complaints as to the harsh treatment of certain British subjects, emigrants to Brazil, have been received, and statements of the distress in which many have fallen, in consequence of which a caution to intending emigrants was issued by the Emigration Information Office last April, and it is understood that this warning has been widely circulated. A caution of a similar nature has been published in the *Board of Trade Journal*. The most recent reports show that the great mass of British and Irish emigrants to Brazil find the circumstances distasteful, and do not become reconciled to them, although Italians and Portuguese, in large numbers, thrive there, and also, to a less extent, Germans.

BUSINESS OF THE HOUSE.

MR. SYDNEY BUXTON: I beg to ask the First Lord of the Treasury whether he proposes to take the Factories and Workshops Bill next week; and, if so, on what day?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I desire to give as full notice as possible of when the Bill will be taken. I am afraid the Bill cannot be taken next week, but I have great hope that it may be taken on the Monday in the following week.

MR. ROBY (Lancashire, S.E., Eccles): I beg to ask the First Lord of the Treasury whether he will be able to afford facilities for the discussion of the Motion in favour of an eight hours day for miners on Tuesday the 9th, or any subsequent day?

MR. CUNINGHAME GRAHAM (Lanark, N.W.): May I ask the right hon. Gentleman to say whether the Bill which stands upon the Paper promoted by the Trades Union Congress and standing in my name, will interfere with the discussion on the hon. Member's Motion?

*MR. W. H. SMITH: There can be no doubt, if the Bill is on the Paper, it will most seriously interfere with the discussion of the Motion.

MR. ROBY: There are two Bills on the Paper dealing with the hours of labour; one is general, and the other applies to miners only.

*MR. W. H. SMITH: The Bill to which I referred is the Bill which provides for an eight hours day for miners. No

Motion could be entertained by the House prior to the Debate on the Second Reading.

MR. CUNINGHAME GRAHAM: Will the Bill which stands in my name and which is general be a bar to the Motion?

*MR. W. H. SMITH: It is not for me to say what the ruling of Mr. Speaker would be, but I am speaking of the Bill to which the hon. Gentleman referred.

MR. CUNINGHAME GRAHAM: Then I must ask your ruling, Sir, on the question whether the Bill promoted by the Trades Union Congress to enforce eight hours in all trades would prevent the discussion of the Motion?

*MR. SPEAKER: The Bill which deals specifically with miners would be a bar to the Motion, but not the Bill which deals with the hours of labour generally.

MR. ROBY: I understand from two of the Members whose names are on the back of the Eight Hours Bill that it will be withdrawn. Under these circumstances, will the right hon. Gentleman give facilities for the discussion of the Motion on Tuesday?

*MR. W. H. SMITH: I should be glad if the Motion could come on, but I am afraid I cannot give any special facilities. The Land Purchase Bill must be passed through the stage of Report before I can do so. The House will see that I cannot again postpone the consideration of the Land Purchase Bill. If, therefore, the Land Purchase Bill still stands for consideration on Thursday the other matter cannot be taken.

MR. BARTLEY (Islington, N.): Is there any truth in the rumour that the Government contemplate an Autumn Session?

MR. LABOUCHERE: May I ask what arrangements the right hon. Gentleman contemplates in order to carry out the assurances he has frequently given that the House will have ample time to discuss the Estimates?

*MR. W. H. SMITH: Her Majesty's Government contemplate that they will receive the cordial co-operation of the hon. Member and hon. Gentlemen behind him in securing that the Government measures are discussed for a reasonable time, and a reasonable time only, in which case I feel satisfied there would be ample time for the discussion of the Estimates. As to the question of the hon. Member for Islington (Mr. Bartley) I should have thought that the very fact that those reports are circulated would have shown the hon. Gentleman that there was no foundation for them.

MR. JOICEY (Durham, Chester-le-Street): Is the House to understand from the answer of the right hon. Gentleman that there will be no Autumn Session?

*MR. W. H. SMITH: The hon. Member has been a Member of the House for some years. Does he suppose that it is possible for the First Lord of the Treasury to say on the 5th of June what will happen in November?

THE THREATENED IMMIGRATION OF RUSSIAN JEWS.

In reply to Mr. BYRON REED,

*MR. W. H. SMITH: A Despatch has been received from Her Majesty's Consul at Riga, stating that the reports as to the emigration of Russian Jews to England have been greatly exaggerated. The emigration from that port is extremely limited, having been only 35 persons all told. I will, however, make further inquiry.

COUNTY COUNCIL ELECTIONS.

MR. LAWSON (St. Pancras, W.): I wish to ask the President of the Local Government Board whether any definite arrangement has been made with regard to the County Council Elections for England and Wales?

*MR. RITCHIE: No arrangement can be made except by Act of Parliament.

MR. LAWSON: Does the right hon. Gentleman propose to bring in a Bill?

*MR. RITCHIE: I hope next week to introduce a Bill to postpone the County Council Elections.

WRITS OF SUMMONS.

CAPTAIN M'CALMONT (Antrim, E.): I beg to ask the Secretary to the Treasury if, when granting the application to stamp deeds in Belfast, he will grant a like application to stamp and seal writs of summons (out of the Superior Courts), thereby saving considerable time and expense to the public, and placing

Belfast in the same position to Dublin as Liverpool and other cities hold with London?

MR. JACKSON: I am informed that it will be useless to extend the stamping facilities at Belfast to writs of summonses unless such writs are sealed there also, but there exists in Ireland no machinery for the creation and maintenance of a district office of the High Court of Justice outside of Dublin.

POSTAL FACILITIES IN COUNTY ANTRIM.

CAPTAIN M'CALMONT: I beg to ask the Postmaster General whether he has received a Memorial from the residents at Loughmorne, Ballyvallough, and Ardboley, near Carrickfergus, County Antrim, relative to improved postal facilities in those districts; and if he will be able to recommend the adoption of the required improvement?

*THE POSTMASTER GENERAL (MR. RAIKES, Cambridge University): No such Memorial has reached me; but from a resident at Loughmorne I have received an application for an official letter box at Blackwoods Cross Roads, and it will give me pleasure to comply with that application.

CROSS-CHANNEL MAILS.

MR. JUSTIN M'CARTHY (Londonderry): I beg to ask the Postmaster General, with reference to his reply to a deputation from Londonderry on the 27th of January last, whether it will be considered, in determining the question of the cross-channel mails, that the only acceleration serviceable to Derry would be by Holyhead, Kingstown, and Portadown?

*MR. RAIKES: The whole system of the Mail communication between London and the North of Ireland, which involves many considerations of importance, has for some time (as the hon. Member is, no doubt, aware) engaged the careful attention of Her Majesty's Government; and though I am not yet in a position to announce their decision, as negotiations with the Railway Companies are still pending, I can assure the hon. Member that the representations of the deputation in question have not been overlooked.

IRISH DISTRESS.

MR. SEXTON (Belfast, W): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in the Electoral Division of Meelick, Swinford Union, County Mayo, where the poor rate is 3s. 1d. in the pound, and great congestion and distress exist, the poor have had no employment on relief works since March; and what steps will be taken to assist them?

*THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The hon. Member who puts this question appears to be under some misapprehension, for while it is a fact that no relief work has been opened in the Electoral Division named, a number of persons belonging to that Electoral Division are employed on works in adjoining divisions. Inquiries are also proceeding as to the eligibility of others there for such employment. I may mention that the poor rate in the division is 2s. 11d., not 3s. 1d., in the £1.

MR. SEXTON: My information comes from the Chairman of the Poor Law Board, who says that the relief works do not supply adequate relief for this particular division.

MR. COLLERY (Sligo Co., N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he has received copy of resolution, passed at a meeting of the Cliffony Dispensary Committee 13th May, 1891, in which they urgently petition the Chief Secretary for Ireland to start at once some public works in the electoral divisions of Cliffony North and Cliffony South; and represent that if such works are not started, deaths will occur from starvation; and if it is his intention to take any action in the matter?

*MR. A. J. BALFOUR: A copy of the resolution referred to does not appear to have been received; but the districts mentioned have had the attention of the Government. Many families in Cliffony North are already receiving aid from the Irish Distress Fund, and the cases of others are at the present time the subject of inquiry.

THE IRISH CONSTABULARY.

MR. COLLERY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware of any intention

to remove from Easky, the Quarter Sessions town of the Barony of Tireragh, County of Sligo, the headquarters of the Constabulary to the village of Dromore West?

*MR. A. J. BALFOUR: No, Sir; there is at present no intention of adopting the course referred to in this question.

EVICTED IRISH TENANTS.

MR. PARNELL (Cork): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will consider the desirability of including in the proposed Bill for the benefit of long leaseholders provisions for the benefit of evicted tenants? In consequence of what occurred last night, I should like to vary the question by asking whether, in view of the adoption of the clause of the hon. Member for South Tyrone (Mr. T. W. Russell) providing for the case of evicted tenants where the landlord is willing to sell, the right hon. Gentleman will have any objection to consider the propriety of introducing a clause dealing with the case of evicted tenants where the landlord is not willing to sell? It will be in the recollection of the right hon. Gentleman that I put down two clauses on the Committee stage of the Land Purchase Bill which I was unable to move, because the Chairman informed me they were out of order. One of those clauses was practically added to the Bill on the Report stage last night on the Motion of the hon. Member for South Tyrone. The remaining clause is one which applies to the case of tenants where the landlord is unwilling to sell, and I beg to call the attention of the right hon. Gentleman to these circumstances.

*MR. T. W. RUSSELL (Tyrone, S.): May I ask whether the right hon. Gentleman will take into account the great danger of doing anything to hinder the passing of the Leaseholders' Bill?

*MR. A. J. BALFOUR: I entirely agree that there is a danger of overloading the Bill, seeing that if any additional elements of controversy are introduced it would be impossible to pass it. With regard to the question put by the hon. Gentleman the Member for Cork, he has accurately stated that the clause adopted last night coincides in all its main particulars with the suggestion he threw out at an earlier stage. I am afraid it will not be possible for the Government to pledge themselves to go further in the direction in which they have already gone.

INTERMEDIATE EDUCATION IN IRELAND.

MR. M. HEALY (Cork): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when the decision of the Lord Lieutenant, as to the modifications proposed by the Irish Board of Intermediate Education in their new rules, will be announced?

*MR. A. J. BALFOUR: The Lord Lieutenant is at present in communication with the Intermediate Education Board His Excellency's decision will be come to at the earlist date practicable, and then will be announced without delay.

MR. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it was the intention of the Board of Intermediate Education in Ireland, in framing their new rules, to restrict the benefits of intermediate education to students intended for Universities, and whether they intend to modify their rules, so as to meet the complaints which have been made, that their new curriculum, owing to its largely literary and classical character, tends to seriously injure commercial schools? Also whether the attention of the Board of Intermediate Education in Ireland has been called to the general complaints which have been made as to the tendency of their new rules to restrict the benefits of intermediate education to students of the better class who obtain a classical education at Board schools to the prejudice of the poorer class of students who by the operation of the system as previously administered were enabled to obtain a good commercial education in the various day schools which sent forward pupils for examination, and whether they will reconsider their recent rules so as to secure that the public moneys which they administer will benefit the poorer class of students who most need education assisted by the State?

*MR. A. J. BALFOUR: I must ask the hon. Gentleman to defer these questions until a later day.

THE LAND PURCHASE BILL.

MR. M. HEALY: I beg to ask the Attorney General for Ireland if he will state in what cases it is proposed that the Land Commission should purchase holdings under Section 18 of the Land Purchase Bill; and whether any express enactment is necessary to enable holdings to be so purchased?

*THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The Bill will enable the Land Commission to purchase holdings. The sub-section appears to me sufficient to carry out the provisions of the Bill.

MR. M. HEALY: Is it only intended that the Land Commission shall purchase where the case is a compulsory sale?

*MR. MADDEN: They can purchase where the sale is compulsory.

IRISH EMIGRATION.

MR. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what amount is still unexpended of the sum of £200,000 voted for emigration in Ireland by Section 20 of "The Arrears of Rent (Ireland) Act, 1882," and Section 12 of the Tramways and Public Companies Act, proposed to be repealed by the Land Purchase Bill; and whether the Government propose, as promised in Committee, to hand over any unexpended balance to the Congested Districts Board?

*MR. A. J. BALFOUR: I understand that of the grant of £150,000 for emigration purposes a sum of £16,827 9s. 10d. is still unexpended. The sum of £50,000 for migration grants is still available. Nothing would be gained by handing over this unexpended balance to the Congested Districts Board.

THE CRIMES ACT.

COLONEL NOLAN (Galway, N.) I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is correctly reported to have pointed out in a public speech that in by far the greater portion of Ireland there is no longer any necessity for such provisions in the Criminal Law and Procedure (Ireland) Act as are not embodied in the Scotch Law; and if he will give substance to these remarks by recommending His Excellency the Lord Lieutenant to remit the unexpired portions of the sentences on the hon. Members for Cork and Mayo Counties?

*MR. A. J. BALFOUR: In answer to the hon. and gallant Gentleman, I have to say that it is the fact that I recently stated that in my judgment there was no longer any necessity for retaining the Proclamations of the greater portion of Ireland under certain provisions of the Crimes Act, notably those under that portion of Section 2 which deals with summary jurisdiction in cases of criminal conspiracy. I never suggested, however, that any action of the Government in this matter should be retrospective.

MR. SEXTON: Does the declaration of the right hon. Gentleman mean that the Government have made up their minds to withdraw the Proclamations of these districts?

*MR. A. J. BALFOUR: The general policy I have indicated will very shortly be carried out.

COLONEL NOLAN: Will the right hon. Gentleman at the same time release such prisoners as have not been convicted by a jury?

*MR. A. J. BALFOUR: The fact that the Crimes Act is no longer necessary in certain parts of Ireland does not prove that it was not necessary at the time it was applied, or that the persons convicted under it were wrongly convicted.

COLONEL NOLAN: I asked a plain question, and I should like to have a definite and direct answer to the question.

*MR. A. J. BALFOUR: I thought I had given the hon. and gallant Gentleman a direct answer. It is not the duty of the Government to advise the Lord Lieutenant to exercise the Prerogative of mercy, and it never has been done by the Government. If anyone desires the Prerogative of mercy to be extended to him he should memorialise.

IRISH ASSISTANT TEACHERS.

MR. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, under the rules of the Board of National Education in Ireland, ordinary assistant teachers are paid the same, no matter to what class they belong; whether assistant teachers in model schools and training schools are, notwithstanding this rule, paid according to class and also for extra duty; whether

Sir Patrick Kerran has frequently represented the injustice of the rule in question to the Treasury without effect; and whether, in allocating the funds available this year for education in Ireland, provision will be made to enable this rule to be modified so as to treat ordinary assistant teachers on the same footing as those in model schools and training schools, and thereby give them some incentive to rise to a higher class?

MR. A. J. BALFOUR: Assistant teachers in ordinary National schools are not paid salaries according to classification. Their salaries are at a special rate. They each also obtain a share of the results fees equal to one-half of the amount awarded to the principal teacher. Assistants in the model and training schools are, in consideration of the important functions exercised by them in connection with the instruction of monitors, pupil-teachers, and candidate teachers, awarded salaries according to their class.

SWAZILAND CONVENTION (MR. HOFMEYER'S REPORT).

Address for "Copy of Mr. Hofmeyer's Report on his recent mission to Pretoria in connection with the Swaziland Convention."—(*Mr. Whitley.*)

ORDERS OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL—(No. 342.)

CONSIDERATION.

As amended, further considered.

*(4.20.) MR. LEA (Londonderry, S.): I beg to move the new clause standing in my name—"Powers of Land Commission." I was moving this clause when the Debate stood adjourned last night. I wish to ask why, under this Bill, we should incur the expenditure involved in the appointment of Special Commissioners, with a separate staff, when, by judicious management, we can avoid such expenditure? I do not intend to make an attack upon the Commissioners. The two gentlemen who have had charge of the Ashbourne Acts have worked well, and I desire to give them every credit. I know there have been complaints of delay and of the employment of too many solicitors; but such complaints would, I am afraid, be incident to any system of legislation. It is, however, an important question that neither of them pretend to have any special knowledge of agricultural land, and, in my opinion, that fact depreciates their value as Land Purchase Commissioners. Since the Act of 1887 the Land Purchase Commissioners have had power to make rules and regulations for carrying out the scheme of land purchase, but I do not think that it was really intended when the measure was passed that these two gentlemen should have such power exclusively, and, therefore, by my clause I propose to give the power of making rules and regulations to the whole of the Land Commission. The present mode of administering the Acts relating to land purchase is not always satisfactory. I will give an example. Three or fours years ago a landlord and tenants agreed for the purchase by the latter of a townland in Antrim. The Land Purchase Commissioners sent a valuer to view the land in February, when it was covered by three or four inches of snow. The valuer simply asked to see the boundaries, and then made the usual secret Report, with the result that the Commission declined to advance the purchase money unless the holding was sold for three years' less purchase than the landlord and tenant originally contemplated. The valuer in this case had acquired experience in Mayo, and it was ridiculous to send him to value land in Antrim, where quite a different state of things prevailed. Undoubtedly the system works badly. Cases of this kind show the necessity of granting an appeal, and it is to provide an appeal in such cases that part of my clause has been framed. If by a better administration of the land purchase scheme the costs incurred by tenants could be lessened it would be a very good thing. Not very long ago some glebe purchasers in my own constituency complained to me they were mulcted of £25 for legal expenses, the sum involved in the transaction being only about £100 to £150. Hon. Members may say that some of the objects which I have in view would be accomplished if a new Commissioner is appointed under this Bill. But why incur the expense of this new appoint-

ment when the Commissioners who are at present administering the fair rent clauses of the Land Acts can be utilised to do the work? In a year or two the great bulk of the fair rent cases will be disposed of, and the appeals, we may hope, will have been cleared off long before any appeals under my clause would be ready for hearing. The Fair Rent Commissioners had had practical experience in all parts of Ireland; and to utilise their services would certainly be wise. The Sub-Commissioners on the staff of the Land Commission could be used just as well as any staff of valuers sent down by the Land Purchase Commission; and if only on the ground of economy, I think it is desirable that course should be adopted. I am not going to say that Mr. Wrench is regarded with the same popular sympathies as the late Mr. Lytton and the late Mr. Justice O'Hagan, but he has the traditions of the office to guide him. The Commissioners will know that if they make any serious mistake in the administration of the Act they will be held responsible. I am sure these gentlemen will rise to the occasion, and make the Bill as great a success as they can. If Mr. Wrench and Mr. Fitzgerald are fit to fix fair rents they are fit to work this Bill. On the ground of economy and of efficient administration I beg to move the clause now on the Paper.

New Clause—

(Powers of Land Commissioners.)

"Nothing in section seventeen of 'The Purchase of Land (Ireland) Act, 1885,' shall be deemed to limit the jurisdiction of any member of the Land Commission under Part V. of 'The Land Law (Ireland) Act, 1881,' and the Acts amending the same, and anything done by any member of the Land Commission in carrying the said Acts into effect shall be as valid and effectual as if it were done by the Land Commission: Provided that any person aggrieved by the decision of any Commissioner acting alone in carrying the said Acts into effect, may require his case to be re-heard by three Commissioners, of whom the Judicial Commissioner shall be one, but none of such Commissioners shall be the Commissioner before whom the case was originally heard.

All rules to be made by the Land Commission for carrying into effect the Land Purchase Acts, as amended by this Act, shall be made by a majority of the Commissioners, which majority shall include the Judicial Commissioner,"—(*Mr. Lea*)

—brought up, and read the first time.

Mr. Lea

Motion made, and Question proposed, "That the Clause be read a second time."

(4.28.) MR. SEXTON (Belfast, W.): By this modest clause of seven propositions a private Member of the House in a Debate upon a Government Bill proposes to overturn the whole administrative system of the Irish Land Commission, and to substitute something altogether different. This proposal is made by a private Member with regard to the one solitary Department of State in Ireland which in six years of administration has gathered to itself the general approval of the country. I challenge denial of that statement. That is the Department which the Member for South Derry, who appears on this occasion as the agent and instrument of the Irish landlords, proposes to overturn.

*MR. LEA: The landlords oppose the clause.

MR. SEXTON: I very much doubt it. I ask why the Government have not proposed this clause themselves? They have sent out a four-lined whip calling on their friends to support the clause, which they describe as most important. If so, why did they not propose it? Every year the Land Commission, which, by its constitution, worked in two Departments—the Rent Department and the Purchase Department—made two Reports, nominally to the Lord Lieutenant, but really to the Chief Secretary, who had the best opportunity of judging. The right hon. Gentleman introduced last year a Bill which related to the Land Department as well as to the question of purchase; why did he not include this clause? Then the right hon. Gentleman brought in another Bill, and had another year's experience. Why has not the House heard a single word until the hon. Member brings it forward of a matter which is one of capital importance? Is it fair that the Representatives of Ireland, who have a right to expect notice, and to get time to confer with their constituents, on a subject which has been on the stocks for two years, should have to wait for the Report stage of the Bill before the matter comes up? The Government have abstained from the discharge of a manifest duty if they think this clause

is required. The history of the clause is very peculiar. By a very convenient and very economical arrangement the Government have a subsidiary administration on the Opposition side of the House. On the Front Opposition Bench they have two Ministers without a portfolio, and on the back Bench two Under Secretaries without responsibility. One of those unavowed Under Secretaries undertook to move this clause; the other was to have moved it previously. In his absence the Member for South Derry moved it in Committee before the holidays, but withdrew it, and did not bring it up after the holidays until it appeared on the Report stage. Am I not entitled to say that there is something extremely tortuous in the proceedings with regard to this clause? The hon. Member said last night that administration was as important as legislation. There is another Bill which we expected until a few days ago. Whenever that Bill comes on, as it will next year, that will be the time for discussing this clause. What case has the hon. Member attempted to make out for the clause? He said some things so marvellously irrelevant that I cannot think they sprang from the hon. Member's own intelligence. The hon. Member spoke of the utility of the Sub-Commissioners in determining the value of land. There is nothing to prevent the Sub-Commissioners from assisting the Chief Commissioners. The first point the hon. Member made was that Ulster is not represented in the Land Commission.

*MR. LEA: What I said was that Ulster is not represented on the Purchase Commission at all, and on the Land Commission very inadequately.

MR. SEXTON: But Ulster will not be represented if the clause be carried. Mr. Justice Bewley, a Dublin Judge, will not represent Ulster, neither will Mr. Gerald Fitzgerald, a barrister from the Munster Circuit, and a County Court Judge of Leinster. Mr. Wrench, some time a land agent in Leinster, cannot be said to represent Ulster. But has Ulster suffered at the hand of the present Purchase Commissioners, or has it any cause of complaint? In the last five years the two Purchase Commissioners have sanctioned loans amounting to £7,300,000. How are they distributed in the four Provinces? Connaught receives £400,000, Leinster £1,800,000, Munster £2,300,000, and Ulster £2,700,000; so that Ulster receives considerably more than a third of the whole amount. Out of 13,700 loans Ulster receives more than a half of the loans sanctioned. I maintain that on every ground the Purchase Commissioners must be regarded as more competent men for the administration of purchase than the men who constitute the Rent Department. Mr. Lynch and Mr. MacCarthy have six years' service and are senior to the Rent Commissioners. Mr. Lynch has enjoyed an unrivalled experience in the sale and purchase of land before he became a Commissioner, while Mr. MacCarthy was for 30 years a solicitor in practice dealing with the purchase and sale of land, and no two men can be found whose experience is greater or more diversified in this particular branch of administration. But the proposal of the hon. Member is to supplement the ability of those two men in dealing with questions of purchase by allowing the intrusion into their department of men who have no experience and no particular knowledge in fixing the capital value of land. Surely it is not necessary to be a tiller of land to acquire a knowledge of its capital value; and yet it seems to me that the proposal of the hon. Member in its naked deformity is to humiliate those two officials, and in my judgment to degrade them, after six years' service, in the course of which they have conducted themselves with unexampled success, by disturbing them in the discharge of their functions, by thrusting upon them the services of three men, juniors in point of service, inferiors in point of experience, and of no experience at all in fixing the capital value of land. There are two departments of the Land Commission. One is sound and the other is unsound. The hon. Member proposes to leave alone the department which is unsound and to tinker the department which is sound. The Rent Commissioners are greatly in arrear with their work, and I should not have been surprised had the proposal been to call in the aid of Mr. Lynch and Mr. MacCarthy to assist those Commissioners in making headway with the arrears. A Return of the Land Commission shows up to February last the

condition of fair rent appeals. By the last year's Report it appears that the number of appeals lodged before the Fair Rent Commission was actually in excess of the number they were able to deal with during the year, and this shows that the arrears are increasing from day to day. In February last the number of appeals heard by the Rent Commissioners during the month was 233, and the number lodged was 211; and yet the hon. Member proposes to add new functions to that body, that they should be taken away from their own work and should be asked to give assistance to the Purchase Commissioners. There are indeed 6,400 appeals in arrear before the Rent Commission. At the rate at which they are discharging them it will take nearly three years to clear off those arrears, while at the same time new arrears are coming in as rapidly as they are being dealt with. The truth is that the inspiration of this clause is to be sought for in the cupidity of a group of greedy vendors, who hope that if the control is taken away from Mr. Lynch and Mr. MacCarthy they may be able to find a more pliant and more favourable authority for the reception of their claims. I wish to direct the attention of the Chief Secretary to a very significant sentence in the last Report of the Commissioners.

"We anticipate that many of the more recent applications rejected by us will be renewed on the basis of a reduced advance."

I have no doubt that if these Commissioners are deprived of the control of the matter many thousands of these applications will be renewed, either on the basis of a reduced or on that of the original grant. I am entitled to speak of the success of the Purchase Commission, for I find that in six years the Purchase Commissioners have issued 13,731 loans to tenants in the four provinces of Ireland, representing an aggregate of £5,700,000. Last year the arrears did not exceed £2,000; only 27 farms have been offered for sale, and 24 sold. I challenge the hon. Gentleman to mention any other Department of Irish administration which can come forward with such a record, and I resent and condemn any attempt to cast a slur upon the diligence and public virtue and efficiency of these Commissioners. I protest against any proposal to cast in on top of them men who have proved themselves to be, if not inefficient, incompetent to discharging diligently their own work. The work of the Purchase Commissioners will be easier for the next five years to come. They will have nothing to do with the Guarantee Fund, or with levying money on a county. And in regard to the congested districts, the duty of making Reports to the Lord Lieutenant will not much trouble men like Mr. MacCarthy and Mr. Lynch, whilst after the Reports have been once made the work will be clerical, and it will only be a question of having an adequate staff. The hon. Member appears to think it would be an improvement if the rules were made by the five Commissioners, including the three who know nothing about land purchase, but until the hon. Member makes out some concrete case, I decline to consider that part of the proposal as worthy of serious consideration. I contend that no case has been made out on behalf of this clause. While the work of the Purchase Department has been efficiently transacted, the right hon. Gentleman knows very well that he is often troubled with questions as to tenants being kept waiting for months and for years for the decision of the Land Commissioners. His attention has been drawn to cases where the Land Commissioners have put tenants to unnecessary expense by making them travel long distances. For instance, they compelled many tenants to travel from Wexford to Dublin to have their appeals tried, whereas the Court might just as well have sat at Wexford. Again, if the Land Commissioners are to undertake this work, it will be much interrupted by the constant necessity of travelling from one end of Ireland to the other to discharge their present functions. Instead of the adoption of the proposals contained in this clause leading to speed and economy, delay and infinite expense will be the outcome, and the result will be disastrous to both landlord and tenant. My impression is that even if the clause is carried the three Land Commissioners will not endeavour to interfere with the ordinary practices of the Purchase Commissioners. So long as the latter do not offend the prejudices of the former, they will not be interfered with; but immediately they give a decision of which the Land Com-

missioners disapprove, then the three Commissioners will step in and act as a Court of Appeal, and the Purchase Commissioners will be overpowered. The clause ingeniously provides that when a re-hearing is granted the Commissioner who first heard the case shall not sit, while of the Court of three Commissioners only one may be a Purchase Commissioner. The Land Commissioners are bound, consequently, to have a majority on the bench. Therefore, I say that the appeal which the hon. Member proposes is the most grotesque of which I have ever heard. It is an appeal from seniors to juniors, an appeal from those who have done their work to those who have failed to do it. It is an appeal from men who, after six years' experience, have proved their diligence and competence, to men whose administration has provoked discontent, and whose own work is hopelessly in arrear. I contend that if anything is necessary to be done it should be by appointing another Purchase Commissioner. I say the Purchase Commission is quite competent to do the work, and if it requires assistance, the Land Commissioners are not the men to give it. On these grounds, the Representatives of the Irish people must offer a resolute resistance to the clause.

*(5.12.) MR. T. W. RUSSELL (Tyrone, S.) The hon. Member for West Belfast commenced his observations by expressing surprise that this new clause should have been brought forward by one who ostensibly represents tenant farmers. It has been proposed by the Representative of an agricultural constituency, and opposed by an hon. Member for an urban constituency, and I think the House is entitled to believe that the hon. Member for South Derry is more entitled to speak for the tenant farmers than the hon. Member for West Belfast. I support the clause on behalf of the tenant farmers of South Tyrone. So far from the landlords approving of it, they are exceedingly anxious to get an entirely different thing. One of their Representatives has put a notice on the Paper as an amendment to the clause. During the whole time I have been in Parliament, I have never said or written one word hostile to the Purchase Commissioners. On the contrary, I have over and over again, in this House, before my constituents, and in newspapers and magazines, declared my belief that these gentlemen have carried out the experiment fairly well; but I have always held that if any large scheme of land purchase is to be placed before the country, it will be necessary to extend the machinery and quicken the pace, and that is exactly the position I take in regard to this clause. I say that the tenant farmers will not be willing to wait on the convenience of Messrs MacCarthy and Lynch; and unless the operation of the Bill is to be spread over 30 or 40 years, it will be absolutely necessary to extend the machinery and quicken its pace. I do not quite understand why the two Purchase Commissioners should have the extraordinary objection they seem to have to the assistance of the three Fair Rent Commissioners. Under the Act of 1885 they can, if required, be made Fair Rent Commissioners themselves by an Order in Council. The original Commissioners under the Act of 1881, who are now called Fair Rent Commissioners, were originally appointed to deal with purchase by right hon. Gentlemen sitting on the Bench below me. It is true that in 1885, when a larger measure was carried, the machinery for carrying out land purchase was extended, and two additional Commissioners specially appointed to deal with it. I now support the clause of my hon. Friend because a still larger measure has been introduced. We may be told that the Fair Rent Commissioners are in arrear to a colossal degree. I will call the attention of hon. Members to the latest figures in this respect. Since 1881 they have fixed over 300,000 rents. Up to the 31st of May, 1891, there were 5,766 notices of appeal pending; that, however, includes cross appeals, which amount to about 20 per cent. of the entire number; the actual appeals to be dealt with number, therefore, 4,600. Now, during last year, up to April 30, 1891, these Fair Rent Commissioners heard 3,912 appeals; but during two months of that time Mr. Justice Litton was ill, and no appeals could be heard. The 4,600 appeals, therefore, really represented only a year's work. Now, taking the figures of fair-rent cases at the end of April, 1890, there were outstanding 37,811 cases to be heard; at the end of April, 1891, there were only 21,000 cases outstanding; most of these

had been inspected, and, as a matter of fact, there are only 6,590 fair rent cases unlisted at the present moment. Practically speaking, there is but one year's work before the Fair Rent Commission. That Commission has been made a permanent one; its members receive large salaries (£3,000 a year), and I maintain that it is reasonable that these Land Commissioners, upon whom the duty was originally cast by the Act of 1881, should be called in, their own work being nearly exhausted, to assist the Purchase Commissioners, whose work is about to begin. The hon. Member for West Belfast has had a good deal to say about the way in which the Purchase Commissioners have done their work. I repeat I have never publicly said one word against them: but other people have. I do not want to weary the House by going into details. Here is a case from County Antrim. The sum involved was £350, the case has been pending for three years, and when it is finished the costs will add seriously to the amount of the purchase money. Yet titles on the same estate had been settled in previous cases. I have heard of numerous other cases in which expense and disappointment have been caused that both parties have regretted they ever went into the Court. Now I come to the question of appeals. I think that a good deal may be said about the necessity for having an appeal from the judgment of a single Purchase Commissioner and his valuer. In order to make land purchase go on prosperously, we must have a Court in which both the buyer and the seller have confidence. I am not arguing that Messrs. MacCarthy and Lynch would not command the confidence of both parties; I only want to establish the need of a Court of Appeal. And in doing so I will mention the case of the Sullivan Estate in County Cork. Mr. Sullivan, who was originally a butter merchant in Cork, purchased the estate in 1878 for £27,000, the rental then being £1,142. Some years subsequently, after the Commissioners had inspected the estate, the judicial rents were fixed at £852, the Government valuation standing at £541. Mr. Sullivan in one year paid to his tenants £2,000 for butter alone. When a sale was proposed the price agreed on between landlord and tenant was £8,785, reducing the judicial payment to £351 or £200 below the Government valuation. Surely that was an enormous reduction. But the case came before the Commission. A valuer was sent down from Cork, and on his Report the Commission declared that this annuity of £351 was too much, and that they would not sanction it unless it were reduced to £295. I am not affirming that the Commissioner was wrong; my point is that there must be confidence on the part of the seller as well as the buyer, and I have mentioned this case as one in which an appeal ought in fairness to have been possible. The only difference between hon. Members opposite and ourselves is that while we want justice, we also want to give the other side justice. But I have a much more serious case to bring under the attention of the House. I hold in my hand a correspondence which I very much regret to read. It is between Mr. John George MacCarthy, one of the Land Commissioners, and a representative of Lord Fermoy, whose estate was in the Court. The correspondence has been before Mr. Justice Monroe. Lord Fermoy some time ago sold an estate in the County of Cork. The transaction was sanctioned; the advance had been made, and the whole thing satisfactorily arranged, when Mr. Saunders, the Receiver under the Court on the estate, received the following letter from Mr. John George MacCarthy, who the House will remember, being a Purchase Commissioner, is a judicial person:—

"24, Upper Merrion Street, Dublin,
27th October, 1888.

Dear Sir,—I have been surprised to learn that, taking advantage of a clerical error in our office, proceedings have been taken in Lord Fermoy's name for large arrears of rent or interest against his farmer tenants after their holdings had become vested and the purchase money placed to the credit of the estate. I am sure you will see that, whatever may have been the previous equities as between the parties, such a proceeding is an evasion of one of our most important rules and is gravely detrimental to the public interest, inasmuch as it tends to overweight the new proprietors with a double burden, and thus prevent the discharge of their duties to the State. Mr. Commissioner Lynch, in whose chambers the matter arose, has written to Lord Fermoy's solicitor and suggested the discontinuance of the proceedings. Permit me to add my request to his and to address you personally. I hope you will not be offended by my adding that if advantage is taken by your firm of a mere clerical oversight all future transactions between our Department and your firm will become impracticable."

[*Cheers.*] I am not astonished at the cheers of hon. Gentlemen below the Gangway. I am astonished at the cheers of the right hon. Gentleman the Member for Derby (Sir W. Harcourt), although I have long ceased to be astonished at anything the right hon. Gentleman does or says.

SIR W. HARCOURT (Derby): There is no English Judge who would not have done the same thing.

*MR. T. W. RUSSELL: I say that even if the facts had been as Mr. MacCarthy put them—and they were not—no English Judge would have said, as Mr. MacCarthy said, that any future case coming before him in the hands of that solicitor would not be judged on its merits, but would be prejudiced. No English Judge would say it, or would be warranted in saying it. No judicial person has a right to use such a threat. What are the facts? It is a fact that Lord Fermoy discharged every farthing of arrears up to the date when the agreement was signed, and he never made a claim for arrears. The Land Commission had the case 2½ years in Court, and what Lord Fermoy did, or rather what the Court did, was to sue the tenants for the interest accruing during those 2½ years. They went before the Recorder at Cork. The Recorder held that he was entitled to interest at 4 per cent. Judge O'Brien, on appeal, held the same thing; in another case, Chief Baron Palles held the same thing. This House in 1888, when it passed the Ashbourne Act, enacted the very thing that Judge Monroe insisted upon, namely, that interest at 4 per cent. should be paid on the purchase money from the date the agreement was signed until the Land Commission had finished the work. That is a fair thing. What was done on behalf of Lord Fermoy was not to sue for arrears of rent. Every farthing of those arrears was discharged under the 55th rule of the Land Commissioners. What did the Commissioners do? On the 1st of November, three days after Mr. MacCarthy's letter was written, they made a new rule to prevent landlords recovering more than six months' interest. It was for the violation of a rule that was not in existence until this correspondence took place that it was sought to hold Mr. Saunders and Lord Fermoy up to odium.

MR. SEXTON: We had no notice that these matters were to be brought forward. Will the hon. Member allow us to read the correspondence?

*MR. T. W. RUSSELL: The whole of it. The least the House of Commons can do when such friction arises, and when one of the Purchase Commissioners shows his hand in such a plain way, is to give an appeal. Then, as to the question of the substituted tenants, last year Mr. MacCarthy gave a deliverance on the subject. It was *àpropos* of nothing at all. He went into his Chamber one morning and delivered an address, in which he announced that he would never sanction a sale to a tenant who had been put in place of an evicted tenant. That may be right or wrong, but I repeat there was no case before him. There are substituted tenants on the Luggarcurren property. They have purchased. I presume that Mr. Lynch sanctioned the purchase. In a matter of this kind there ought not to be two rules, one rule governing one Chamber and another rule governing the Second Chamber. I have put this case strongly, not out of any hostile spirit to the Purchase Commissioners. I know both gentlemen personally, and, as I have said, I have always considered that they have done their best to carry out the Act of Parliament fairly. I have heard a great deal about the Land Commissioners. I have heard Mr. MacCarthy and Mr. Lynch praised as the embodiments of all virtues. It is not my wish to take anything from them in that respect. I am perfectly certain they will do their best according to their lights to carry out this measure. But when I come to the Fair Rent Commissioners what do I find? Who are they? Is anyone prepared to say a word about Mr. Justice Bewley? Every one knows him to be a most able lawyer. The only objection I ever heard urged against him is that he is Lord Ashbourne's brother-in-law.

MR. MAC NEILL (Donegal, S.): That was never raised here.

*MR. T. W. RUSSELL: That is the only objection against him. He is not only a most able lawyer — probably the most able that could be selected for the work—but he is an able

and honourable man, who will neither turn to the right or to the left hand unless he considers it proper to do so.

MR. SEXTON: I never said a word about Mr. Justice Bewley; and I should certainly accept the judgment of the Attorney General for Ireland as to the learned Judge's competency.

*MR. T. W. RUSSELL: I am only showing that these men are competent for the work. There is Mr. Commissioner Fitzgerald. I objected to his appointment because of some proceedings of his in the County of Armagh many years ago. Who was it who defended Mr. Fitzgerald in this House? Who was it who declared that, although he had been guilty 10 years ago of these things, it was a very good appointment, and he was doing very well now? It was the hon. and learned Member for North Longford (Mr. T. M. Healy). Then who is it who is objected to? It is Mr. Wrench. There is a curious thing about Mr. Wrench. I find he is just about as much objected to by the landlords as he is by hon. Members below the Gangway. Landlord after landlord have protested to me against Mr. Wrench's action; and when I find hon. Members below the Gangway and the landlords in Ireland attacking Mr. Wrench, I am forced to the conclusion that at all events Mr. Wrench is trying to do his duty. But even if Mr. Wrench were what hon. Members describe him to be, he is only one of five. He cannot have his own way; he is not likely to have his own way. I have watched Mr. Wrench for some time, and I do not think any man can find any fair or reasonable objection to his work on the Land Commission. These men will be idle, and what I object to is going to further expense when you have these men idle in Dublin. I urge that the clause of the hon. Member for South Derry should be accepted. I believe it will extend the machinery and quicken the pace. In the name of my constituents, I am bound to express a hope that the pace should be quickened, and also to express as much confidence in the Fair Rent Commissioners as in the Purchase Commissioners.

(5.45.) MR. PIERCE MAHONY (Meath, N.): I cannot help thinking that this is a very ill-advised clause. Last night we had the most satisfactory discussion I have heard in the House since I became a Member. It was a discussion in which Members in all parts of the House attempted to approach the subject in a spirit of compromise and fair play, and to avoid anything like Party feeling. The very subject dealt with in that discussion is one that will have to come before the very body whose constitution we are now discussing. I believe the result of last night's work will be very valuable in Ireland, but that the value of that work will be very largely diminished if this clause is carried. Is it worth while to run the danger of, in any degree whatsoever, diminishing the value of what we did last night by insisting upon a clause which those interested in the tenants greatly object to? I do not think we have been very fairly dealt with by the Government. Last year they introduced a Bill for land purchase and a re-organisation of the Land Department. The proposed re-organisation of the Land Department was strongly opposed, and the Bill was withdrawn. This year the Bill has been divided into two parts in order that land purchase might not be clogged by the objections urged to the proposals with regard to the Land Department. In the Land Department Bill there were some provisions of considerable value to the tenants, but it has been abandoned. By this clause it is proposed to take out of the Land Department Bill the most objectionable provision of all, and put it in the Land Purchase Bill. The main arguments in favour of this clause are that it will save time, promote economy, and provide for appeal. How can it possibly save time to impose fresh duties on men who are already overburdened with work? They have got more work than they can possibly get through in the next few years, and in the next few years they will have a large amount of additional work. Again, as to economy, there is no economy in getting men to do work under the Land Purchase Department when they are already unable to perform the work in their own Department; and if you are going to place the Land Purchase Commissioners and the other Commissioners all in one Department and make them one body, you must place them in a position of absolute equality and pay them the same salaries; and if you pay

them the same salaries, you will have to raise the salaries of the Land Purchase Commissioners. I do not think the Government can escape the dilemma. The whole weight of the argument of the hon. Members for South Derry and South Tyrone relates to the question of appeal. At the present moment cases are heard in the Land Purchase Department by one Commissioner, who does not value the estates that is to be the subject of sale and purchase. He derives his information from witnesses and Inspectors, and if he decides for or against the purchase there is no appeal. That is a real and substantial grievance. But if you want to provide an appeal from one Land Purchase Commissioner why do you introduce a totally different body and bring into the Court of Appeal gentlemen from another Department of the Land Commission, who have nothing to do with land purchase and who have had no experience of it? I think I can show the House that there is a special reason why you should not introduce any gentlemen from the other Department of the Land Commission for an appeal of this kind, at any rate as regards the question of value. All appeals at Fair Rent Sessions are heard by the Chief Commission, one member of which is supposed to have some knowledge of the value of land. The other is a Judicial Commissioner. As regards the question of value, the Court of Appeal would be largely guided by the opinion of the non-judicial Commission. Questions of law, I think, rest entirely with the Judicial Commissioner. In a case of any property where a fair rent is fixed coming before the Land Purchase Department, you have a guard in the interest of the British taxpayer; you have a guard to prevent the amount of purchase money being estimated solely on so many years' purchase of the judicial rent; you have got, as it were, a revision of the value. The Land Purchase Department will not advance money unless they are satisfied the holding affords *bonâ fide* value for it. To that extent you have got a check on the judicial rents. Do you require that check? The real object of this clause is that the judicial rent shall be made the whole basis of the calculation for purchase, and that there should be no regard to the question whether the land is worth the sum advanced or not. That was stated in so many words as the object of the clause at a meeting of the Liberal Unionist Association in Dublin. The other day I alluded to the case of the Glenshannon property in County Limerick. Years ago the Land Commissioner fixed judicial rents on the property, but owing to the action of the tenants, the Court of the Land Judges entered upon the management of the estate. The Court appointed a receiver, and refused to give the tenants any reductions; or, at any rate, if they offered any reductions, they were very trivial. After a series of combinations on the part of the tenants, the Land Judges Court sent down their chief valuer; and, on his Report, they offered the tenants a reduction of 30 per cent. on the judicial rents, and wiped out nearly all the arrears. Supposing the judicial rents had been taken as the basis of value in that case, the result would have been that the tenants would have been forced to pay an exorbitantly high price for their holdings. If you are to exercise a check on the judicial rents, if you are not to accept those rents as a basis of purchase, if you are to exercise the right of having an independent valuation of the holdings, it is most necessary that you should not give that Department of the Land Commission, who deal exclusively with the fixing of rent, any power whatsoever in fixing the price of land purchase. There is one member of the Land Commission who is not directly engaged in fixing the value of the land under fair rent, and that is the Judicial Commissioner. If you want an appeal from the decision of one Commissioner in the Land Purchase Department you can very easily form a proper tribunal for the hearing of the appeal by allowing the two Land Purchase Commissioners to sit with the Judicial Commissioner. That would provide a properly constituted body to hear appeals against the decision of one man; a body against whom the objection could not be made that is made against the body proposed to be constituted under this clause. I commend this suggestion to the Chief Secretary. I ask him would it not be worth his while to recommend his Friend the hon. Member for South Derry to accept a suggestion of this kind, that is to say, that, upon any question on which an appeal is desired against

the decision of one Commissioner, the case should be re-heard by the Judicial Commissioner in conjunction with two Land Purchase Commissioners. That would be following out the lines which have been accepted in other Departments dealing with the Land Question, where, upon the action of one Chief Commissioner, either party has a right to have his case re-heard by two lay Commissioners, sitting with the Judicial Commissioner. I commend this to the acceptance of the Chief Secretary as a compromise that will meet the case completely, will give protection against the possible mistakes of one man, and will enable us to carry on the Debate in the spirit that, happily, animated all sides last night.

*(6.4.) SIR G. TREVELYAN (Glasgow, Bridgeton): This new clause or Amendment in whatever shape for the time being it has been before the House, for it has had many shapes, has attracted from the first a great deal of attention; but I do not think that anyone was prepared for the enormous gravity which it has assumed to-night. In the hands of the hon. Member who moved it, its importance did not seem to assume large proportions, and I must own that, personally, I was unable to elicit from his speech the reasons why he proposed this great administrative change. But it was quite another matter when, after the powerful, exhaustive, and, to my mind, absolutely unanswerable, speech of the hon. Member for West Belfast, there arose the well known rhetorical voice of the hon. Member for South Tyrone (Mr. T. W. Russell). The Member for South Tyrone—and it is impossible that anything which even the Chief Secretary with all his ability can say can alter it—the Member for South Tyrone gave to the proposal the form of a Vote of Censure on the present Land Purchase Commissioners. Such the clause became in the hands of the hon. Member for South Tyrone, and such it remains. The speech of the hon. Member reminded me of nothing so much as those attacks which the present Prime Minister, in all good faith and with great ability, directed against the Endowed Schools Commissioners in old days, and we well know the result of those attacks. This has been made by the hon. Member for South Tyrone a personal question on behalf of those he wants to introduce into the administration of Land Purchase, and those he wishes to exclude or override, and everyone who has examined the clause knows whom he wishes to substitute for the present Purchase Commissioners, and so we have had much personal invective and much more serious insinuation against the present Purchase Commissioners, who so little deserve these attacks. I shall not enter very deeply into the defence of these Commissioners. I prefer to leave them to the different panegyrics they have received at the hands of their responsible official superiors in former Debates in this House, but I am bound to say this, that so flimsy a case for such a purpose was never brought in the House of Commons in an attack upon any administrative or judicial official, as on this occasion has been brought against Mr. John George MacCarthy; for I do not know that anything has been alleged against his colleague. Let me point out the flimsiness of the attack which consisted for three charges. Take the first charge put forward, that under a misapprehension—for that is the worst that can be said of it—of what had been done by a firm of solicitors——

*MR. T. W. RUSSELL: Not a firm of solicitors, but a Receiver under the Court.

*SIR G. TREVELYAN: The Commissioner, then, in consequence of what he supposed had been done by the Receiver of the Court, gave utterance to doctrines which, if the impression of the Commissioner had been correct, were doctrines any Judge ought to have been proud to express, and which it would have been his duty to express. The second charge related to a very queer estate, and which the mere description of the hon. Gentleman shows to have been one of the queerest pieces of property that ever came under the cognizance of any body. With a rent of £1,100 to begin at, reduced to £700 or £800, and then bounding down again to an equivalent of £350 or £400, is it a wonder that Mr. J. G. MacCarthy and Mr. Lynch should have declared after all that the annuity should be but £295? Is that a dereliction of duty on the part of officials who are our only defence against the greed of the seller and the helpless-

ness of the man who is the so-called buyer? The third charge is that Mr. J. G. MacCarthy has spoken very strongly against making substituted tenants owners. Now, on that point I can only say it is exceedingly necessary that the Purchase Commissioners should, in the interest of the State, at any rate look very closely into the condition of these tenants, who are not the class of men for whom land purchase was originally instituted. For the old holders of the land, for those who are part proprietors in the value of the holding, this House is prepared to make sacrifices to convert them into proprietors—sacrifices which it does not make for the farmers of England, because they are not part-proprietors of the land. It is for the interest of the State that the Purchase Commissioners should look closely into the position of these substituted tenants, because, as will be admitted, there is *primâ facie* a probability that they will not be such good cultivators, will not have had the experience, and will not be so likely to be so successful on the holdings as the ordinary tenants of Ireland. Well, these are the three charges on the strength of which a Vote of Censure of the most cruel and biting sort has been moved, and this House is asked to pass a condemnation of the conduct of a public official upon utterly flimsy and frivolous ground. If I speak with some heat I do not think that hon. Members opposite will resent that, but I now drop into a different tone, and, speaking from the point of view of one who has had some part in administration, I ask the House to regard this proposal apart from point of view of tenant or of landlord, and simply as it concerns the public interest. This is essentially a question of division labour. The Fair-Rent Commissioners have already plenty to do. In alternate weeks they are supposed to be in the Four Courts or travelling about Ireland. In addition to their work under the Land Act, they have upon their backs a great deal of work under the Labourers Act in the way of the collection of statistics, and the latter part of the Bill now before the House will place upon them considerable work with reference to the congested districts. They have a great deal to do, their work requires special knowledge, and they cannot be taken from it without the greatest detriment to their work. It is idle, too, to try to explain away the great burden of the appeals. There remains the great fact that these appeals number thousands, and that each year there are between 1,500 and 2,000 such disposed of. Then, when five years hence appeals are disposed of, will come the gigantic task of the re-revision of all the rents in Ireland, and it is quite certain that the full powers of these gentlemen will have to be given continuously to that work for many years to come. Their duties are essentially different from the duties of the Land Purchase Commissioners. The duties of the Purchase Commissioners are to advance public moneys, to investigate the security, to ascertain the rights of owners and encumbrancers, and to distribute the proceeds of the sale between the different persons interested. To undertake such administrative duties requires the possession of great ability. To adequately perform this work great experience is required—a knowledge of the business can only be learnt by long experience, and this clause proposes that, when that experience has been gained, those who have obtained it should have their functions interfered with by those who are without such experience. Here you have a public office with great duties to perform divided by a sharp line into two parts. Would the House of Commons ever sanction such a method of dealing with a public department as is here proposed in relation to any other public office? Would the House sanction a proposal by which the functions of the officers in one department of the Treasury should, after an experience of five or six years, be transferred to officers of a wholly different branch of the department? Would it not be an extraordinary proposal if in the Admiralty the official whose duty it is to superintend the purchase of dockyard materials should be suddenly entrusted with the duty of giving out contracts for ironclads? But here is a similar proposal by which the officials in the two branches of the Land Department of Ireland are called upon to change their functions. And again, in the Act of 1885, Parliament deliberately confirmed the decision arrived at in

1881, that appeals should only be on questions of law, not on questions of fact, but this proposal is, in matter of appeals, to confuse the administrative and judicial functions. No doubt the motive of the hon. Member who brought forward this clause is excellent, but the motives of those who are supporting him outside are not so excellent. The change is really proposed in the interest of disappointed vendors. I have seen the reasons which the Liberal Unionist Association in Ireland have given for the change, and some of these seem to me little short of libellous. It is stated that the Purchase Commissioners have had no experience in land value, and, on account of their own incompetency, have to rely upon a valuer for the practical experience they want. The Purchase Commissioners are quite right in sending their valuer down. They are quite right in not accepting, without a fresh investigation, the basis of a judicial rent fixed some eight years ago. They have to make a bargain which shall be safe for the taxpayers of this country, while conferring a benefit on the tenants of Ireland, and I cannot conceive that a better method can be devised than that by which for the last five or six years the Commissioners have so satisfactorily carried out their work, and I cannot consent to pass a Vote of Censure on those Commissioners in the interest of those few landlords who have been unable to sell because the prices they demanded have been too high.

(6.21.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Those Members of the House who have followed the policy of the Government in the matter of land purchase will not be surprised to hear that we are prepared to support this new clause, which, in fact, is a portion of the scheme of the Government embodied in the Land Department Bill, which considerations of time have compelled the Government to drop. In defending the proposal, I shall endeavour to pitch my remarks in the key which characterised the middle part of the speech of the right hon. Baronet who has just spoken rather than that in which he began and ended. The right hon. Gentleman has told us that to accept the Amendment would be to pass a Vote of Censure of a biting kind on the Land Commissioners appointed in 1885.

*SIR G. TREVELYAN: Only so after the speech of the hon. Member for South Tyrone.

MR. A. J. BALFOUR: Yes; after the speech of the hon. Member for South Tyrone (Mr. T. W. Russell). My hon. Friend used his undoubted right to condemn what he thought were unjustifiable proceedings of certain gentlemen connected with land purchase, just as the hon. Member for West Belfast (Mr. Sexton) used his Parliamentary privilege of making an attack upon Mr. Wrench and his colleague, and I wish to know, if we, by accepting the clause, pass a Vote of Censure upon the Commissioners appointed under the Act of 1885, do we not equally accept the conclusion that not to accept the clause would be to pass a Vote of Censure on the Commissioners appointed in 1881? This Amendment is resisted principally by hon. Gentlemen below the Gangway on the definite ground that they think the Land Commissioners of 1881 are favourable to the landlords, that they have not got what they are pleased to term popular instincts; that they twist the law and twist their duty, using their functions in favour of the landlord, not of the tenant; that they have done this though appointed as Judges, and required to exercise their jurisdiction without fear or favouritism. Now, I want to know, if these accusations are to be levelled, are we not to draw the conclusion that if accepting this clause will be a vote of censure upon the Commissioners of 1885, equally to reject the clause will be to censure the action of the Commissioners appointed under the Act of 1881?

MR. SEXTON: As the right hon. Gentleman has mentioned my name in this connection, I may be allowed to say that from beginning to end of my speech I never referred to favouritism as between landlord and tenant, but dwelt on the question of diligence and efficiency of administration as proved by records.

MR. A. J. BALFOUR: But I think the hon. Gentleman will agree with me that this has been the staple of attack in the many preliminary discussions we have had in relation to this question, and I think the hon. Gentleman did make an illusion very much in that direction in regard to Mr. Wrench's

character and performances. But I am sure the House will not expect me to follow the example set by those speakers who have preceded me in criticising the conduct of these Commissioners. For my part, I believe that both the Commissioners of 1881 and the Commissioners of 1885 have deserved well of their country, and have done their duty to the best of their ability in an impartial spirit. It is not, therefore, because we have any want of confidence in the Commissioners of 1885 that we accept this clause. It is not intended, in the slightest degree, to suggest that any of these five gentlemen to whom we propose to entrust the duty of carrying out the policy of land purchase are not deserving of the fullest confidence. With this preliminary observation, I pass to the arguments against the clause. The hon. Member for West Belfast has complained of our permitting a private Member to propose the introduction of such a clause as this. Now, it may be observed that when an hon. Member below the Gangway makes a proposal to amend the Bill we never hear of such a criticism. The acceptance of an Amendment then is evidence of a conciliatory spirit and desire to meet a general wish; it is never suggested that the Government are going outside their duty if they accept such an Amendment. When, as in this case, the proposal is identical with a portion of our plan for the amalgamation of the various branches of the Land Department, surely, then, to refuse the proposal, when made by a private Member, would be to reverse the traditions and ordinary procedure of the House. The hon. Member for West Belfast has told us that by this clause it is proposed to interfere with the one department in Ireland concerned with the land which has hitherto escaped criticism. Well, I do not say that the Land Purchase Department has never deserved criticism, and this Debate has proved that it is sometimes open to criticism, but I do not dwell upon that. It is quite true that the Land Commissioners have been the subject of criticism to a far greater extent than the Land Purchase Commissioners, but the work of the Land Purchase Commissioners does not bring them into collision with public opinion, whereas the Land Commissioners have to fix rents, and an archangel performing such a task in Ireland would not escape criticism and attack. The functions of the Land Purchase Commissioners do not concern the great mass of the tenants. They cannot raise the price against the tenant; they can only lower the price in the interest of the Exchequer; and whenever they interfere in the bargain between landlord and tenant, it is to lower the price the tenant will pay, the interest of the Exchequer being the interest of the tenant. The result of the interference is that the tenant buys at a cheaper rate.

MR. SEXTON: Or he does not buy at all.

MR. A. J. BALFOUR: I apprehend that in a very large proportion of the cases where the Commissioners do not accept the original terms, fresh proposals are made. The strongest argument which has been brought against the proposal of my hon. Friend—a proposal for which there is an obvious *primâ facie* case—is that the Commissioners to whom we are going to entrust the new funds are not in a position to carry out their new functions, that arrears have accumulated and are accumulating, and that by giving them appeals besides, we shall be hampering rather than promoting the rapid discharge of their work. I do not think the matter has been properly stated to the House, as far as I understand it. It is perfectly true that there have been large arrears of appeals. It is not true that they are increasing; indeed, they are diminishing at a rate which makes it quite clear that the Land Commissioners will be able to devote their energies to the daily increasing work of land purchase. The Returns show that appeals are being disposed of in a greater ratio than they are put down, and that, therefore, the number to be heard is getting less. The number disposed of by August, 1888, was 200; in the year ending August, 1890, it rose to 3,666, while in the year ending April, 1891, the number was close upon 4,000.

SIR W. HARCOURT: Can the right hon. Gentleman give us the number that are now waiting to be decided?

MR. A. J. BALFOUR: I think it is a little over 5,000.

MR. MAC NEILL: 6,000.

MR. A. J. BALFOUR: The larger number includes a number of cross-appeals, and allowing for these the total is nearer the lesser number. These appeals, irrespective of new ones to be put down, will be disposed of in little more than a year.

MR. SEXTON: Is it not the fact that new appeals are as numerous as ever?

MR. A. J. BALFOUR: I do not think that is the case. The hon. Gentleman has referred to the month of February, 1891. In that month the number of appeals lodged was 211, and the number heard and withdrawn was 421, so that the number disposed of was nearly twice as large as the number listed.

MR. LEA: Has the right hon. Gentleman got the Return for March?

MR. A. J. BALFOUR: I chose February, 1891, because that was the month selected by the hon. Member for West Belfast (Mr. Sexton). In March the number lodged was 108, and the number disposed of 390; in April the number lodged was 199, and the number disposed of 363. I think, therefore, it may be taken that these appeals will not be such a serious burden as to prevent the Commissioners undertaking the additional labour the clause will impose upon them. Let me now call attention to the advantages that will accrue from the acceptance of the Amendment. It will give the Purchase Commissioners the assistance of the existing legal Commissioner, Mr. Justice Bewley. When you talk of the two 1885 Commissioners being able to discharge the duties created by this Bill, I think you hardly appreciate what those duties are. This Bill is much more than a mere addition to the Ashbourne Act of 1885. No doubt this Bill is rooted in the Act of 1885, but the system created by it is a new system; it is a very elaborate system, and it will throw upon those who administer it duties very different from and more onerous than the duties imposed by the Act of 1885. There will be a large increase of actual business. It has taken six years to get through about £6,000,000, but does anyone suppose that land purchase is going on at the same rate in the future? If the Bill succeeds—if it is allowed to succeed—land purchase will, I am convinced, go forward at a rate incomparably more rapid than anything we have hitherto had experience of. It is quite plain that the two gentlemen who have hitherto been able to keep abreast of their work will not be able to do so without assistance when the Bill comes into operation. In carrying out this Bill they will have to do many things they are not required to do now. They will have to carry out elaborate financial arrangements, to collect a much larger body of annuities, and to advise the Lord Lieutenant whether to extend the five years during which the 80 per cent. is to be paid. They will have to fix the annual value of land, and I dissent from the proposition that that is essentially different from fixing fair rent. I want to point out that you have compelled the Land Commissioners to fix the annual value of the land, and if you say they cannot do both, you ought to throw the duty of fixing the annual value, not on the Purchase, but on the Fair Rent Commissioners. They will have to determine matters connected with distress. Under the measure as it stands, it will be in the power of any purchaser to bring, as an excuse for non-payment of annuity, facts to show that he is unable to pay through undeserved misfortune. The consideration of such matters will be a duty entirely different to any duties conferred on the Commissioners by the Act of 1885. It is a duty not very analogous to any performed by any branch of the Commission; but if it is a duty that should be performed by a branch of the Commission, surely the branch best fitted to perform it is that established under the Act of 1881. So as to distress. The Lord Lieutenant can be set in motion by the Land Commission, and on their advice he can declare that general distress exists in a district of such a kind that the Reserve Fund may be called on partially to meet it, and when that is called on loans will have to be made out of that fund to defaulting tenants. Can a more elaborate and delicate process be conceived, and one which would require a stronger Commission to deal with, and which would make a greater call on the whole judicial strength of those who administer the Act? I should weary the House if I were to go on to point out the new functions thrown on the Commissioners by the labourers and the congested district part of the Bill;

but I think, after the discussions we have had, it will be seen that in reality we are calling upon those who administer the Act of 1889 to discharge functions entirely different in character, and largely exceeding in amount any functions imposed by the Acts of 1885 and 1888. At present these two Land Commissions have a staff partially in common, and each has also a staff of its own, and these staffs are largely occupied in similar operations. There may be different examinations of holdings—such as examinations to ascertain the fair rent value, and examinations to see if there is adequate security for an advance; but the staff ought to be the same, and it is ludicrous to have two separate staffs carrying out functions that are closely analogous. If you want to carry out these functions in the best manner, and with the greatest economy of time and money, there should be only one staff, and it should be at the disposal of one undivided body. To sum up, the existing Commissioners under the Act of 1881 are carrying out functions which are diminishing; the Commissioners under the Act of 1885 are carrying out functions that are not only increasing but will go on increasing by leaps and bounds. If you want to organise the Department you must amalgamate the two branches. If the House wants to make the new Department equal to the enormous work thrown upon it by this Bill, instead of breaking it up by introducing fictitious divisions of labour, it ought to give every opportunity for organising the staff to the best advantage, and it ought to give those who have to fix capital values all the assistance they can derive from those who have been fixing fair rents, and from the legal experience of the gentleman at the head of the Commission of 1881. I am almost ashamed of having taken up the time of the House in making so long a statement on what appears to me so obvious a policy. The policy is not carried so far as I should like to see it. I say it is really ludicrous that in Ireland at this moment there should be the Fair Rent Commission of 1881 determining one set of questions relating to the land, that there should be the Commissioners of 1885 determining another set of questions relating to the land, that there should be the Landed Estates Courts performing other functions in connection with the land question, and that there should be still other bodies also engaged in matters relating to the land. By the Land Department Bill these various bodies were to have been amalgamated. Unfortunately, that measure cannot be passed this Session. I hope, however, that the House will not be so foolish as to reject half a loaf because it cannot at once get the whole loaf.

(6.48.) SIR W. HARCOURT: The right hon. Gentleman, with an assumption of innocence, spoke of the clause and the speech of the hon. Member for South Tyrone as emanating from a private Member. The hon. Member for South Tyrone, we know, is the organ of the Triumvirate who sit below the Gangway opposite. When a Motion is to be proposed which it is not convenient for them to propose, the hon. Member chosen for the purpose is the hon. Member for South Tyrone. Betting is sometimes done by commission, and when the Government want a thing done they know where to find a commissioner ready to lay out their money for them as they think fit. That commissioner is the hon. Member for South Tyrone. Now, Sir, quite apart from the administrative character of this clause, or the effect it will have in Ireland upon the acceptance or the rejection of the policy of this measure—and this from a statesmanlike point of view is a most material question—I ask, if the Government thought this clause expedient and necessary, why in the world did they ever commit it to or allow it to fall into the hands of the hon. Member for South Tyrone?

*MR. T. W. RUSSELL: It is not my clause.

SIR W. HARCOURT: It is not his clause. The hon. Member put up another man. The betting commissioners to whom I have referred know that device also. But the speech and the Amendment and the policy are those of the hon. Member for South Tyrone, or rather of those by whom he is inspired. What was the object of the speech of the hon. Member for South Tyrone? To attack the character and destroy the credit of a Purchase Commissioner. The speech was a violent, bitter—I had almost said malignant—

attack upon Mr. MacCarthy. And what was Mr. MacCarthy attacked for? For doing that which any Judge in the Chancery Division in this country would have done in similar circumstances. Everybody knows that in Court or in Chambers a Judge relies upon the honour and good faith of those who practise before him. If he were not to do so, business could not be transacted. Mr. MacCarthy believed, rightly or wrongly, that a practitioner had been guilty of sharp practice, and he said to him, "If you continue this sharp practice you will make business as conducted by you impracticable." That is what he said, and that is all he said. For that he has been attacked in this House, and thrown over by the Chief Secretary.

MR. A. J. BALFOUR: The right hon. Gentleman has misrepresented what I said. The idea of throwing over the Purchase Commissioners never entered my head.

SIR W. HARCOURT: Perhaps I used too strong an expression. Instead of "thrown over" I should have said "dropped." The right hon. Gentleman attributed some observations as to the unpopularity of Mr. Wrench to the Member for West Belfast, but the Member for West Belfast did not make those observations. It was the hon. Member for South Derry who expressed regret that Mr. Wrench was not a person of more popularity. That is all I heard against any of these Commissioners; therefore, when the Chief Secretary got up to apologise for the bitter attack, intended to destroy the credit and position of Mr. MacCarthy, we know very well what the object of the attack was. The fact is Mr. MacCarthy was attacked because he has done his duty towards the English taxpayer. The Unionist landlords are dissatisfied with him; that is the reason why the hon. Member for South Tyrone has been put up to blacken—I had almost said calumniate—Mr. MacCarthy, who has had the courage to defend the English taxpayer against the landlords, and to prevent English money being wasted in unfair bargains between vendors and purchasers in Ireland. Mr. MacCarthy is the *bête noire* of landlords who want to get too large a price for their land, and therefore this clause is moved with the intention of casting a slur upon him.

MR. A. J. BALFOUR: That is not intended.

SIR W. HARCOURT: The right hon. Gentleman is not the mover of the clause. The whole object of the clause, as expounded by the hon. Member for South Tyrone, was to attack Mr. MacCarthy, and to introduce Mr. Wrench to overrule him. The clause, if carried, will destroy the credit of the Land Commission in both its branches, because it is intended to set one branch of the Commission against the other. The clause is put forward because the landlords do not trust Mr. MacCarthy. The mass of the people of Ireland have confidence in him; therefore, it is proposed to associate a number of other Commissioners with him to overrule him. That is the interpretation which, in my opinion, will be put on this clause, and, in my opinion, it will discredit the Commission in both branches, because it has been introduced in a spirit of hostility. I say it is most unfortunate for the success of the Bill and for the credit of the Commission that the Government should have accepted this Amendment from the hon. Member for South Tyrone. If the Government really think that the clause is necessary as an administrative measure, why have they not had the courage to bring it forward themselves? They have said it is part of the Land Department Bill. Well, it is a curious proceeding—an inconvenient and, I should have thought, hardly a regular proceeding—that when there are two Bills before the House one should be taken and practically incorporated in the other by an Amendment on the Report stage. If you want to amalgamate two Bills there are forms well known by which it can be done, and by which Second Reading and Committee Debates can be given. But here, nothing could be more likely to injure the prospects of the Bill than the course which has been pursued. A clause embodying a policy which ought to be well considered is thrust forward at the last moment on the Motion of a private Member—a most unstatesmanlike way of dealing with the matter. What is the hurry? The Government say they do not consider this a satisfactory solution of the question. I admit that, in dealing with a great measure like this for land purchase, it may be necessary to

revise your machinery; but I think that when a scheme for revising the machinery is submitted, it should be laid before us on the responsibility of the Government. You are going to incorporate in the Purchase Commission three gentlemen of ability and integrity. What is the hurry? Why can you not bring in your Land Department Bill next Session? You know that the Rent and Purchase Commissioners have to get rid of their arrears, and that you have time to bring it forward with the full authority of the Government. Therefore, there is really no necessity whatever for this Amendment, except to destroy the position of Mr. MacCarthy. Do Her Majesty's Government think that after such a speech as that of the hon. Member for South Tyrone the people of Ireland will be well disposed towards this measure? We heard in the speech of the hon. Member those tones of class animosity of which he is the representative. Let the Government next year bring forward a well-considered plan, and they will lose nothing in the meantime. If we proceed with this Amendment, we will be pitting one section of the Commission against another, one man against another. When Mr. MacCarthy has given a decision, another Commissioner will endeavour to overthrow it; we will introduce a spirit of class animosity and class hostility which we ought to endeavour to get rid of. The advice which I offer to the Government is not hostile advice; their Bill will not suffer, but will gain, if we accept it. Here are £30,000,000 to be placed at the disposal of this Commission; and here is an Amendment which will be regarded in England, as in Ireland, as a change made in the Commission for the purpose of allowing and encouraging inordinate prices to be given for the land. Mr. MacCarthy has been guilty of refusing to allow what he believes to be an improper sum to be given as between the vendors and the taxpayers. Therefore, whether we regard the matter from the point of view of the Irish tenant or the British taxpayer, who is ultimately responsible for the money, this Amendment is injurious to the Bill. It is utterly unnecessary, because the Rent Commissioners have got more than enough to do, and there is ample time for introducing that complete measure which the Chief Secretary told the House is necessary. In this Amendment, proposed in a spirit of injustice and class animosity, no man will have confidence; and I hope it will be resisted by every means in our power, and take care that the people in Ireland and in England shall understand the spirit in which it has been brought forward.

(7.8.) MR. T. P. O'CONNOR (Liverpool, Scotland): I begin to believe that the Education Bill will after all be postponed to next Session, and that it is the intention and desire of the Government to do so, because at the close of the Debates on this Bill they have sanctioned an Amendment which, more than anything else the Government have done, is calculated to prolong Debate and embitter passion. There can be no doubt of the intention and purpose of the Member for South Tyrone—he wants to stab Mr. MacCarthy, and he does so openly; but the Chief Secretary, "willing to wound, but yet afraid to strike," does the same work furtively. Here for the first time is the betrayal by the Chief Secretary of a faithful public servant.

MR. A. J. BALFOUR: Not a single word did I say against Mr. MacCarthy, and after the contradiction I gave to the right hon. Member for Derby I must say the hon. Member seems to have deliberately misquoted me.

MR. T. P. O'CONNOR: The right hon. Gentleman charges me with deliberately misquoting him. I charge him with deliberately betraying his official subordinate, not by speech, but by deliberate silence. The right hon. Gentleman will have plenty of opportunities of washing himself clean if he can. The Member for South Tyrone accused Mr. MacCarthy of deliberate misconduct in several cases. The right hon. Gentleman, ignoring the whole attack, gave the sanction of his silence to that bitter and malignant attack. If the right hon. Gentleman was ignorant of the facts of the case, why did he not get the facts from the Attorney General for Ireland, who knew them? Because the right hon. Gentleman did not want the facts. I will tell the whole secret. Mr. MacCarthy and Mr. Lynch refused to sanction applications in 1,064 cases for a sum amounting to £507,000. The applications were made a second time, and then all that was

asked was £420,000, and it was because Mr. MacCarthy forced the landlords to accept that proper and just amount that other vendors are now taking revenge by the open attack of the Member for South Tyrone, and the furtive attack of the Chief Secretary. The right hon. Gentleman was not able to defend Mr. MacCarthy with regard to some of these cases. The hon. Member for South Tyrone was not courteous enough to give the particulars of the attack he was going to make on Mr. MacCarthy; he said he would not give them unless he was compelled to do so; and yet he comes down to this House with all his armoury in his pocket and at once proceeds to make use of every weapon. Why did he not give the Chief Secretary notice of what he was about to do? If he intended to attack Mr. MacCarthy for his official administration, why did he not in courtesy and honesty tell the Chief Secretary he meant to do so, in order that the right hon. Gentleman might have had the means of replying to him? We understand the relations between the hon. Member and the Chief Secretary. They are of that demi-semi-official character which is avowed or denied as occasion requires. I know that the hon. Gentleman is a strong and violent Protestant, and I admit the contrast between the violence of his attack and the attack on the other side; but I ask the hon. Gentleman, was it fair to attack Mr. MacCarthy without giving the least notice either to him or his official superior?

*Mr. T. W. RUSSELL: I spoke of two cases, and I did so deliberately, for the sole purpose of showing that where there was so much divergence of opinion there ought to be a right of appeal from a single Commissioner.

Mr. T. P. O'CONNOR: I understood the hon. Gentleman's purpose from the method of his attack. The misfortune of Mr. MacCarthy is that he is an honest Purchase Commissioner, and not a dishonest one, and that he will not help the dishonest landlords against their tenants. The right hon. Gentleman gave us an account of the additional duties of the Land Commissioners; but he said nothing as to those of the Assistant Commissioners. I ask the right hon. Gentleman whether they have not all had additional duties imposed upon them? Why, Sir, one of these Commissioners is to be a member of the Congested Districts Board, and will consequently be taken away from his other duties, the extraordinary part of the business being that a department which is not in arrear with its work is to be helped by a department that is already heavily in arrear. The right hon. Gentleman admitted that the rent fixing Commissioners were only a year's work in arrear. Even if we take the figures from the right hon. Gentleman, and accept the statement that these Commissioners have only a year's work to bring up, why does he not wait for another year and bring in his Land Department Bill, when we shall be the better able to see who is right. If the year's arrears were then overtaken, the right hon. Gentleman would then have a right to say that the work might be taken up by these persons; but if it were found that in the meantime the arrears continued to accumulate, it would then be clear that the Purchase Commissioners should not have further work thrown upon them. The right hon. Gentleman puts himself in the position of prophesying what the new Bill is going to do, whereas what he ought to do would be to wait until next year and see whether he is right. The hon. Gentleman the Member for Tyrone has put forward propositions which you could see by his very face he did not believe. Here is the charge against Mr. MacCarthy——

*Mr. T. W. RUSSELL: It was not against Mr. MacCarthy.

Mr. T. P. O'CONNOR: I congratulate the hon. Gentleman on the readiness with which he says that. Why, Sir, here is the very man who makes charges against Mr. MacCarthy denying that he does so, and at the same time pouring all this thunder and lightning upon Mr. MacCarthy's head because he made a mistake.

Mr. SINCLAIR (Falkirk, &c.): Mr. Speaker, I rise to order. I wish to ask whether the hon. Member has any right to say that the hon. Member for South Tyrone has made a charge against Mr. Mac Carthy, when the hon. Member for South Tyrone says he has made no charge?

*Mr. SPEAKER: Hon. Members will put their own interpretation on what was said.

MR. T. P. O'CONNOR: We are told that the transaction was not on the part of Mr. MacCarthy but of Mr. Lynch. At any rate, the original rent of £1,142 was reduced to £852 by the Sub-Commissioners, the Government valuation being £541. In another case, where a man came before the Purchase Commissioners, Mr. MacCarthy was under the impression that Mr. Saunders had taken advantage of a clerical error. I am told that it turned out that Mr. MacCarthy was under a false impression, and I accept that statement for the moment, although I do not know whether it will bear examination or not. An hon. Member on my right says it is not true; but I will take it that it is true. If Mr. MacCarthy were under the impression that an officer of the Court had taken advantage of a clerical error for purposes of extortion, was he not called upon to use the language he did? I now come to the third charge, which is that Mr. MacCarthy declined in some cases to sell to substituted tenants. Now, Sir, I put it to the House—supposing the hon. Member for South Tyrone were to become a Purchase Commissioner—not at all an unlikely thing to happen: in fact, I should be disappointed if when the Government go before the constituencies in another year's time, knowing very well that they are not likely to come back to power, they do not make provision for the hon. Gentleman. But, Sir, was not Mr. MacCarthy justified in refusing to sell to substituted tenants? Here is a loafer or a "corner-boy," brought from Belfast with money put in his pocket in order to make a bogus purchase, and instead of his paying for the use of the land he is paid to stop on the land. Would anyone be justified in giving to that itinerant loafer a full claim to the property? I would not trust him to pay for 49 days, let alone 49 years; and yet because Mr. MacCarthy refuses to take these substituted tenants, down come the friends of the landlord party and make attacks upon him. The right hon. Gentleman the Member for Derby was quite justified in asking what effect this clause would have in Ireland. The man who stands most in the way of the successful working of this Bill is the Chief Secretary himself. He never did an uglier or worse piece of work than when he gave an authoritative sanction to the attack on Mr. MacCarthy. What will be the result? There are to be five Commissioners—three supposed to be on the side of the landlords and two on the side of the tenants. These men are to fight as in a cockpit the question of landlord *versus* tenant. The Bill, we know now, is intended to be in the interest of the landlord. The three landlords' Commissioners are to be placed in a position of superiority over the two Purchase Commissioners. I do not think anything more effectual could have been done to destroy any confidence that might have been felt in Ireland in this Bill. The measure is only intended to last until the General Election: it is a piece of pedantry in politics, and not genuine statesmanship.

(7.33.) MR. MACARTNEY (Antrim, S.): I do not propose to touch on many points which have been raised in this Debate, for I think it is quite possible to arrive at the conclusion suggested by the hon. Member for Derry, without dealing with these personal questions. It would be impossible for any body of Commissioners occupying a responsible position to entirely satisfy public opinion on a question like this: but there is no reason why the subject of appeal should not be raised and discussed apart altogether from the manner in which those gentlemen may or may not have succeeded in satisfying public opinion. It is no discredit to the Purchase Commissioners if they have failed to satisfy public opinion. I hold that the appeal is necessary to the administration of this Act, and it is undesirable, while extending the scope of land purchase in Ireland, not to grant appeal even in the interests of the Purchase Commissioners themselves. As to the question of the nature of the appeal to be given, I admit that that is a question open to a great deal of argument. I am far from denying that there is great force in the points raised by the hon. Member for West Belfast. I would prefer, however, to see the appeal transferred in the manner proposed by the hon. and gallant Member for North Down, because under it there will not be any possibility of friction arising between the Commissioners of the Land Department and those of the Purchase Department. It would also have the advantage of

obviating any presumption that a point in dispute was being taken from one Commissioner who was supposed to be friendly to one class in Ireland, and decided by other Commissioners who were supposed to favour the interests of another class. A phrase used by the right hon. Gentleman the Member for Derby in his peroration was extremely misleading. There cannot, in a question of appeal, arise any question of hostility between landlord and tenant. There may be hostility between landlord and tenant on one hand and the English taxpayer on the other, but that is the only possible hostility on which the Court may be called to adjudicate. Remember that before the appeal stage is reached all questions between landlord and tenant must have disappeared, and, therefore, the point raised by the right hon. Gentleman the Member for Derby in relation to this hostility has in it no substance. I do not think it necessary to argue this question at any great length. The principle which underlies the clause will remove a great anomaly which exists in Ireland at the present time. At present you have an elaborate machinery for dealing with appeals in cases in which rents are fixed for a period of 15 years, which may be but a trifling question, but now you are going to deal with the permanent realisation of the capital of the landlord. You provide no machinery for adjustment or re-adjustment. I hope that the House will consent to give a Second Reading to the clause, which I believe introduces a great and valuable improvement in the administration of the Act. Take the case of a farm on an estate on which the rents have been judicially fixed. These rents have been fixed by two experts who sit in Court to assist the Land Commissioner. But the Purchase Commissioners, if the case comes before them, may send down a valuer, who may, or may not, be a person of experience, and he may fix the capital value of the farm at a sum absurdly out of proportion to the annual value fixed by the Land Commissioner. I believe that to be a great anomaly, and for the reasons I have stated I hope the House will give a Second Reading to this clause. At the same time, I do not pledge myself to adhere to the particular form of appeal sketched out by the hon. Gentleman the Member for South Derry.

(7.40.) MR. SINCLAIR: The hon. Member for West Belfast used words indicating his opinion that the adoption of this clause by the Government would upset the system and policy of land purchase hitherto existing in Ireland. That raises a question of the policy of transferring to the occupying tenant the interest of the landlord. But this Debate has turned more upon personal matters. It is true that the Land Purchase Department has been administered by Messrs. MacCarthy and Lynch in a satisfactory manner on the whole, but it does not necessarily follow that they may not have committed some error of judgment. The proposal of my hon. Friend the Member for South Derry is to create a power of appeal in cases where the decisions given may be wrong. It is in no way intended—nor should I support it if it were intended—to cast any slur upon Messrs. MacCarthy and Lynch. It is, to my mind, little less than scandalous that this clause should have been treated as an attack on those gentlemen, who, I believe, have in the past done their duty to the best of their ability. Those of us who support the clause strongly and strenuously repudiate any such suggestion. The clause is no more a slur on those gentlemen than is the power given to a Court of Appeal to hear appeals from decisions of the Lord Chief Justice of England a slur upon that eminent judicial dignitary. I trust that the line of argument which has been adopted by hon. Members below the Gangway will be dropped, and that those who address the House will deal with the real question before the House, and disprove, if possible, the necessity which we say exists for a Court of Appeal in cases of this kind.

(7.45.) MR. M. J. KENNY (Tyrone, Mid): I do not know what, in the mind of the hon. Gentleman who last spoke, constitutes an attack; but if there has not been an attack on the administration of the Land Purchase Department in the course of the present Debate, I should like to know what all the talking has been about. From the commencement no speaker has resumed his seat without alluding with greater or less fervour to

the alleged conduct or misconduct of Mr. J. G. MacCarthy.

MR. LEA: In moving the clause I said distinctly I had no intention of attacking either Commissioner.

MR. M. J. KENNY: I quite admit that, but the hon. Member for South Tyrone came down to the House briefed for the occasion. And what was his brief? It consisted of a series of letters and charges connected with the administration of the Purchase Department. It was alleged that one or both of the Commissioners had been guilty of some inexplicable misconduct in connection with two properties. I will pass by the case of the Sullivan Estate, which, I believe, is not yet out of the Court, and I will merely say that there are facts in regard to it which, if brought forward, would place a considerably different complexion on the attitude of the Land Department as depicted by the hon. Member for South Tyrone. But I will deal with the case of the Fermoy Estate. The charge that Mr. MacCarthy voluntarily went out of his way to interfere in this case is absolutely devoid of foundation. The hon. Member was evidently not properly coached. The facts are these: The estate of Lord Fermoy was for some years in the Court. Delays occurred, which Lord Fermoy charged as the fault of the Department, although subsequently he admitted they were due entirely to difficulties connected with the ascertaining of the title and to applications which he himself had made from time to time to delay the sale of the estate. In the meantime certain arrears had accumulated. The law at that time was in doubt; it was not known whether a landlord in such a case should sue for rent or interest. Lord Fermoy sued in the alternative. The negotiations were carried on in the month of August, just before the Long Vacation; and, owing to the pressure of clerical work, the Land Commission failed to get Lord Fermoy to sign a certificate under Rule 55, which entitles the Land Commissioners to satisfy themselves that all arrears of rent had been either released, or discharged, or paid. The Land Commission not having obtained that certificate, Lord Fermoy proceeded to assert his claim for arrears. Mr. MacCarthy having called his attention to the matter, Lord Fermoy at once expressed his willingness to sign the certificate. The charge made against Mr. MacCarthy is that he unwarrantably interfered in the affairs of his fellow-Commissioner. The interference was, however, with Mr. Lynch's consent, and the tone of the letter was far more moderate than the language used by Mr. Lynch in open Court in regard to the proceedings of Lord Fermoy's agent. It was the conduct of that agent in suing unjustly for arrears that brought about an alteration in the rules that rendered it necessary, as Mr. Lynch said, for

> "The Court to guard itself against any invasion of Rule 55. . . In one case where the agreement was in the old form, proceedings were taken for a year and a half's rent, or in the alternative, for interest in lieu thereof, while in another case we found that while we had approved a conveyance more than six months since it had not been executed, and when an explanation was asked for we found it had been held back in order that proceedings might be taken and a decree obtained for arrears of rent. It would militate against the successful working of the Act in future if claims of this character were capable of being made, and we have ordered——"

Then follow the new rules. The hon. Member in reading the correspondence carefully gave only that which suited his own case, but if he had read the letter of the 5th November, closing the correspondence, he would have thrown a different light on the case. In that Mr. MacCarthy says (to Lord Fermoy's agent)—

> "Surely it must be plain to you it is our manifest duty by leaving all parties free up to the date of the advance to see that the landlord does not, at the very time he receives the advance of State funds, reserve demands against the new proprietors, which, if exacted, would render it impossible for him to discharge his obligations to the State. This plain and clear duty you may be well assured we shall always discharge without fear or favour to anyone."

The hon. Member for South Tyrone appeared to think it was a very grievous piece of misconduct on the part of Mr. MacCarthy to threaten Lord Fermoy's agent, who himself is a receiver in the Landed Estates Court.

*MR. T. W. RUSSELL: Mr. Saunders, the agent, was alone responsible for this action, and yet Mr. MacCarthy threatened the entire firm.

MR. M. J. KENNY: He is a member of the firm. The Court of Chancery cannot appoint a firm—it can only appoint a single individual; and if the position of the hon. Member were a sound one,

it would be possible for a receiver to grossly misconduct himself by getting his firm to do that which he personally dare not do, and then to escape scot-free as against the Court of Chancery. Both Mr. MacCarthy and Mr. Lynch are bound to be strict in their dealings with these men. The Land Commission have express power under their rules to deal not only with receivers, but also with solicitors, whom they may suspend even for trivial offences. I think the Court's action towards Mr. Saunders was extremely moderate. I look with the utmost alarm to the future of the Land Commission if the practice hitherto recognised is to be departed from, and the two sets of Commissioners to be intermingled, so that those who in the past have fixed the rent will, in the future, be called upon to fix the capital value of the same holding. I say that such a plan is grossly unfair, for a Commissioner who has once fixed the rent would not have a free mind to deal with the question of capital value, as he would be tied somewhat by his previous decision. I say the present system of dividing the work is the only fair and logical one, and that to disturb it will be productive of unfortunate results. The hon. Member for South Tyrone says that the Lord Lieutenant, by Order in Council, can transfer the Purchase Commissioners to the fair rent side of the Land Commission. It is true he may do that, but he has never done it. Furthermore, when such power was conferred on the Lord Lieutenant in Council, care was taken not to give the converse power of transferring the Land Commissioners to the Purchase side. You are proceeding to do that, and by so doing you will, I believe, render the working of the Land Department in the future excessively difficult. If the right hon. Gentleman the Chief Secretary regarded this Amendment as so important, why did he not stick to a portion of his Land Department Bill? It has been said that preparation must be made for the increased work that will be thrown on the Commissioners. I deny that any increased work will be thrown on the Commissioners. Unless you increase the area of Ireland, it is absurd to imagine that the annual amount of work to be discharged by the Commissioners will be in any way increased. Experience has shown that £10,000,000 for land purchase lasts over six or seven years. It is fair to assume that land purchase will not go on at an accelerated rate in the future. I venture to predict that, so far from its going on at a greater rate in the future, the tendency of the present Bill will be to retard it. The additional functions thrown upon the Land Commission will be so extremely simple that in no instance will they consist of anything more than signing their names to the documents placed before them, and recommending to the Lord Lieutenant, from time to time, whether the five years over which the guarantee extends shall be continued or not. All the additional work will be performed by Inspectors, and not by the Land Commissioners themselves. The whole tendency of the new Bill is to throw obstacles in the way of purchase, and, that being so, the argument that provision must be made for the additional work to be thrown on the Land Commissioners falls to the ground. There are no arrears in the Purchase Department, but lots of arrears in the Fair Rent Department. I would ask how, under the circumstances, can it be supposed that the Commissioners under the Act of 1881 can lend the slightest assistance to the Commissioners under the Land Purchase Act? I believe myself that the two Purchase Commissioners will be perfectly equal to any work thrown on their Department. In the cases referred to by the hon. Member for South Tyrone (Mr. T. W. Russell), and especially in Lord Fermoy's case, there would be no appeal. You propose to give power to determine points of law on appeal to gentlemen who are not lawyers at all. Not only will the hon. Gentleman's clause not improve the administration of the Land Department, but I think it will be positively mischievous. I think that if the hon. Gentleman would publish the whole of the correspondence in the case of Lord Fermoy it would be seen that Mr. John George MacCarthy was not only justified in everything he said, but that he only fulfilled his manifest duty in calling attention to the culpable misconduct of Mr. Saunders, and to the action which Lord Fermoy subsequently agreed to withdraw from. I think that, under all the circumstances, the charges

that have been made against the Land Purchase Commissioners fall to the ground. It is said we must have representation for Ulster, and the hon. Member for South Tyrone, speaking for his constituents, said he supported the clause in their name. Speaking for my constituents, who belong to the same class as the constituents of the hon. Gentleman, I believe they will be alarmed and shocked that any Member, especially the hon. Member for South Derry, should introduce a clause which will have the effect of materially injuring the interests of land purchase in Ireland. The great body of them are quite prepared that land purchase should be left in the hands of those who deal with it at the present time. I regret extremely the Chief Secretary has determined to accept the clause. The Land Department Bill proposed to deal with this matter in a different way. Whether we approve of the Land Department Bill or not, its provisions were certainly much more equitable and much more advantageous than the new clause proposed by the hon. Member. (8.25.)

(8.50.) MR. MAC NEIL: It is unusual to find Irish Members engaged in defending Government officials against the attacks of false friends. I have recently come from the turmoil of a contested election, and I have stated on every hustings my opinion that the policy of the Government has been inimical to the interests of the British taxpayers, that the policy has amounted to the taking of money from the pocket of British working men, applying it to the relief of worthless Irish landlords. I have also stated that the whole course of administration in Ireland has been to convert, possibly indirectly, that administration into a species of rent office for the landlords. These are serious allegations, but during the course of this Debate, and from speeches from friends of the Government on either side of the House, these allegations have been justified. I have had some years of Parliamentary experience, but I cannot remember in any measure, great or small, an Amendment going to the very root of the matter largely affecting the whole administration of a great and comprehensive measure being brought in on Report ostensibly by an independent Member, but really by the Government itself, in the manner this Amendment has been proposed. It is ridiculous to regard the hon. Member for South Derry as the author of this proposal, when we know that a four-lined Whip has been issued to the friends of the Government to support this proposal. The purpose of the Amendment is to cast a slur upon, to degrade so far as it is in the power of the Government to do so, the two Land Purchase Commissioners, and the Land Purchase Commissioners themselves view it in that light. But even for Dublin Castle it is too strong a step to take to censure officials appointed by themselves. It is an amusing thing that these officials were appointed by the present Government to administer the Ashbourne Act, upon which they set great store. Mr. J. G. MacCarthy and Mr. Stanislaus Lynch were nominated by the Government as the best men that could be found to administer the Act, and how have they performed their duties? They have behaved as trustees, as guardians of public money; they have refused to become mere Castle tram horses. They have not degraded their position; they have administered the £10,000,000 entrusted to them judiciously, having regard to the British taxpayer and the community at large, and their real offence is that they have not converted a temple of justice into a thieves' kitchen for the Irish landlords. The Chief Secretary has said that he defended Mr. J. G. MacCarthy, but who attacked him? No one but the agent of the Government, the hon. Member for South Tyrone, and the defence of the right hon. Gentleman was but a "damning with faint praise." I have often admired the loyalty with which the right hon. Gentleman has defended the conduct of his subordinates, even when I have thought it wrong for him to do so. But how different has been the faint and lukewarm defence of Mr. J. G. MacCarthy, who has refused to consider these £10,000,000 as so much plunder to be divided among Irish landlords. Contrast this with the defence of petty officials in bygone years. Two years ago, from my place in this House, I held up the certificate of dismissal with disgrace from the Cape Force of the right hon. Gentleman's Resident Magistrate, O'Neil Segrave, a man whose conduct was the

cause of the murder of three men in open day in cold blood, and yet the right hon. Gentleman defended this man as he has not defended Mr. J. G. MacCarthy. He defended Dr. Barr, who was found guilty by a coroner's jury of having caused the death of John Mandeville. These things come to our remembrance in contrast to the right hon. Gentleman's action now; but we will defend this gentleman and his colleague Mr. Lynch, because we believe they have acted justly, honourably, and well. Long ago I foresaw the course the Government would take in reference to these gentlemen. That Return to which my hon. Friend (Mr. Sexton) has referred, shows how these gentlemen have saved the Exchequer £83,000 by not permitting unconscionable bargains between rich and poor, and I knew then that their doom was sealed by the present Government, and we know the Government have done what they could to degrade the position of these Commissioners. They were given £1,000 a year less than the two pets of the Government, the two handy men who are ready to do as the Government wish, and the shameful, shabby pretence for this present action would be amusing but for the gravity of the consequences. The hon. Member for South Derry, who acts in concert with the hon. Member for South Tyrone, has made this Motion, but it is in reality that of the hon. Member for South Tyrone. It was down originally in the name of the hon. Member for South Tyrone, but then comes a little shuffling of the cards, and with a new deal the motion appears in the hands of the hon. Member for South Derry as a less notoriously prominent partisan than the hon. Member for South Tyrone. We contend that these two Commissioners should be continued in the position which they have filled with honour to themselves and advantage to the public. I wish the hon. Members for South Derry and South Tyrone were in their places. It is said that the Land Commissioners have had a larger experience, but I say that statement is false. I do not say false to the knowledge of the hon. Gentlemen who make the statement, but I do say they are guilty of surprising negligence in putting the statement forward. There is a Return before the House, moved for on February 23 by the hon. Member for South Derry, which shows the qualifications of the Land Commissioners and Purchase Commissioners, and I invite attention to this Return. What are the qualifications of these gentlemen, as compared with the qualifications of the handy men of the Government who are to try the cases on appeal? What are the qualifications of Mr. Lynch? He is nearly 20 years older than the solicitors to whom his cases are to go on appeal. He has had practical experience in land in no fewer than eight counties, and is a gentleman of the highest culture. He was educated at Stonyhurst. He kept his terms for admission to the Bar, and had no fewer than 14 years' experience in the Landed Estates Court in Ireland, becoming acquainted, as Registrar, with all the complicated questions and details of title, and displaying conspicuous and splendid ability. He has farmed 1,500 acres of land, or 300 more than Mr. Wrench. The hon. Member for South Derry (Mr. T. Lea) said the Land Purchase Commissioners had less experience than the persons to whom the appeals would be taken. I will not say that what the hon. Gentleman stated was untrue to his knowledge, but I say he was unpardonably negligent, as the Return moved for by himself shows that the Purchase Commissioners have 10 times the experience of the others. I now come to Mr. John George MacCarthy. I do not wish to understate or overstate his qualifications. He had one disqualification in the eyes of the Government. He was elected by the voice of the people, and sat in this House for six years. I find that he has had practical land experience in no fewer than nine counties. He is a gentleman of good education. He was educated in Dorsetshire. He was a land agent, was Legal Assistant Commissioner for four years, and was promoted straight from being Legal Assistant Commissioner to be a Purchase Commissioner. As regards the persons to whom the Appeal is to be taken, when the proper time comes, which I should imagine will be on reaching the clause giving these people their positions, I shall be prepared to state in the plainest language what their qualifications are. At present I decline to do so. I want, however, to say in reference to Mr. Justice Bewley, that his is such a good appointment, and

he is such a meritorious man in every way, that I have a strong notion the Government appointed him by mistake. I shall on a future occasion refer to the qualifications of these gentlemen, because when this Act has passed I shall have an opportunity of speaking about them again. Our mouths are now closed. If I mentioned one of these gentlemen, you, Mr. Speaker, in the exercise of your authority, would call me to order, for the only means of expressing disapproval of anything they may do is by an Address from both Houses of Parliament. Mr. Wrench is not even an Irishman; his previous occupation was that of a land agent, he had an experience in only five counties, and his age is only 37. Mr. Gerald FitzGerald was Legal Assistant Commissioner in 1881 and 1882, and the Return says of him: "He never farmed land or acted as a valuer or surveyor." He never dealt with as much land as would support Noah's dove when it left the ark. It is said that there is no one on the Commission to represent Ulster, but the Ulster case is now played out, and in a few plain words I will state the meaning of this. The Government want to take a leaf out of the book of a bad class of tenants, and to divide this swag amongst their own supporters. These gentlemen for five years have administered public funds economically, and that is their great offence. They have said in effect: "We were appointed by a Conservative Government; we are not grateful to them for the appointment; if they appointed us in order that we might favour them we ought to throw the appointment in their faces; if they appointed us to do Party work on the Bench the appointment is a disgrace to them and to us. We took office as public trustees, and we say that no less than £83,000 has been saved by us from the maw of the landlords by our stepping in and saying to them 'the bargains you propose are unjust and inequitable having regard to all the circumstances of the case.'" I very much object to officials, especially judicial officials, being promoted. It would be a shameful thing if a person appointed to a judical position were to keep his eyes fixed upon the Treasury Bench in the hope of being promoted. Mr. MacCarthy would not consent to allow bogus tenants to become mere conduit pipes through which men like Lord Clanricarde might get the money of the taxpayer, and the object of the Amendment is to destroy the independence of men who have acted independently, and put in their place gentlemen on whom the Government have more reliance. The Government want to rig the Irish Bench and get the Land Commission in the hands of the supporters of the Government. These are grave charges if they are not true—as I believe them to be. The Government will say: "We cannot stigmatise our own nominees;" but there are wheels within wheels, and they get their friends on the other side to do that which they cannot do themselves, and then, by means of a four-line Whip, they bring in their supporters from the smoking-room and the tea-room to vote for a policy which they would not vote for if they understood it. Their desire in this clause is not to keep their friends on the Land Commission from the influence of the times, but to keep them from the influence of the House of Commons and the Executive Government, and fence them round by the House of Lords, knowing that they themselves will not be in power when the Land Commission as re-organised gets into proper working order. I think, having regard to all these matters, that the public opinion of this country may be affected, and people may see that in Ireland not only are meetings and juries packed, but that by this Land Purchase Act even the Bench of Justice will be packed by the supporters of the Government. It is said that there should be an appeal, but why should there be an appeal under this Act when there was none under the Ashbourne Act? The reason there was no appeal, and why there could be none, under the Ashbourne Act, was that there was no compulsion either on the landlord to sell or the tenant to buy. The Purchase Commissioners, according to theory, are simply trustees of the public purse, and no appeal should be permitted from them, unless on a point of law. The tenant, who is a poor man, is not on an equal footing with the rich landlord in the matter of appeals, and it seems to me that it will be a very hard thing to allow the discretion of the Land Commissioners to be interfered with.

Mr. Justice Bewley for legal purposes is an admirable selection, but the Bill altogether is an after thought in the interests of landlords. Its object is to put a check on the honest discretion of Mr. John George MacCarthy and Mr. Stanislaus Lynch, and to give Mr. Wrench authority in the Court—and this gentleman, like the Resident Magistrates, will do just what he is told either directly or indirectly. Of all the shameful incidents which have occurred in Ireland during the last five years, I think the most shameful is the way in which every judicial tribunal and Court of Justice is tampered with. The Courts of Justice are simply machines of the Government—and I am glad that we are here now defending Government officials. We Irish Members will take right good care that Mr. MacCarthy and Mr. Lynch do not suffer from being honest to the British public, and when we can do so we will try and offer them some atonement for the gross insult the Government have passed on them.

*(9.25.) MR. WEBB (Waterford, W.): This clause is at first sight a very simple and innocent looking clause, but I think it is seldom that simplicity and innocence covered up a more insidious principle than in this case—a principle which would have passed unnoticed by the majority of the House if it had not been for Members sitting on these Benches. It appears to me that all legislation in regard to Ireland follows a very distinct course—directly opposed to what it should be, having regard to the history of the country, and to the small minority in which we find ourselves here. When legislation like the present Bill is intended, there is no consultation with the Irish Members, and vital Amendments brought forward by us are outvoted—and outvoted by hon. Members who have not even heard the Debate or the reasons on our side. The next course is that care is taken that in its application legislation of this kind shall operate against the mass of the people. We have had all these principles strikingly illustrated on the present Land Bill. There was no real consultation with the Irish representatives as to what the legislation should be. I think it will be admitted that there are men on this side of the House, and belonging to our Party, who are quite as able to take a statesmanlike view of any system of legislation as any Members in any part of the House, and yet I do not think that they have even been consulted of late years on any question of important legislation. More than this, our Amendments have been constantly outvoted, although they are often very important Amendments. It is difficult to imagine anything more likely to stir the blood of the Irish Party than the way in which we have been outvoted by the majority who are just kept in leash for the purpose. This Bill has been pressed through day after day, it is a measure of great complications, requiring the greatest ability to understand all its details and bearings, and I may say that, but for the extraordinary ability and the iron constitution of two or three Members who have been able to hold out in a period of great sickness, we should have had no real discussion whatever. I consider that the style in which the Government had sought to force on the Bill was absolutely indecent. They had had the extraordinary spectacle of the Bill being forced on at the time when the two men who were most responsible for the present agitation in Ireland, and whose views it was most important to obtain—namely, Mr. John Dillon and Mr. William O'Brien—were in gaol.

*MR. SPEAKER: I must ask the hon. Member to keep to the clause before the House.

*MR. WEBB: This clause is introduced to prevent the Irish people from getting the full benefit of the Bill, and I am surprised at its being backed as it is by Representatives of the tenants of the North of Ireland. With reference to the relative merits of the gentlemen whose different Departments we are now considering, it cannot be denied that one Department has practically no work to do, and that the other is always in arrear, and it does appear extraordinary that the gentlemen in the Department which is in arrear with its work should be chosen to have additional duties imposed upon them. The Purchase Commissioners, Messrs. Lynch and MacCarthy, have done their duty fairly and openly; they have not done it in the spirit of ascendancy, in the spirit of coercion which influences too many of the officials of Ireland, or by truckling to popular clamour. This clause has, to a certain

extent, come upon us by surprise. There has not been time for the country to express its opinion upon it. It has not been introduced in a straightforward manner. On all these grounds we ought to give it the most strenuous opposition in our power.

*(9.33.) MR. SHAW LEFEVRE (Bradford, Central): I cannot doubt that the action of the Government, in giving their support to a proposal which has been sprung upon the House by an hon. Member evidently in agreement with them, is most unusual and most unfortunate, and will certainly tend to prolong and embitter the discussions not only on the clause itself, but on the other remaining parts of the Bill. It will have, also, a most unfortunate effect on the future of the Bill when it passes into law, for undoubtedly the change will be regarded as one made in the interest of the landlords, and with the object of enhancing the price of land. The Chief Secretary has said that the proposal now before us is identical with that contained in the Bill to which I refer.

MR. A. J. BALFOUR: I said that I regretted that the Government could not make it identical, but that it was better to have half a loaf than no bread.

*MR. SHAW LEFEVRE: At all events, the right hon. Gentleman should have pointed out the important respects in which the clause differs from his Bill. I have referred to that Bill, and I find that the proposal for re-constructing the Land Commission is in every most important respect essentially different from that now before us. The scheme in the Land Department Bill, whether we may approve it or not, was a carefully considered one, and complete as a whole. It proposed that the five Commissioners should be of equal rank and equal pay. The proposal now before us will continue the existing inequality of pay and rank, and will virtually place the Land Purchase Commissioners in an inferior position. Then, again, under the Land Department Bill the distribution of duties is to be made in a very formal manner by the Lord Lieutenant with the assent of the Privy Council. In this proposal a majority of the Commissioners are empowered to make rules in the future for the guidance of the Land Purchase Commissioners. In other words, the three Land Commissioners are empowered to make rules in respect of that branch of the Department of which they know nothing over the heads of the two Land Purchase Commissioners. Lastly, as regards appeals, the procedure is totally different. Under the Land Department Bill every question affecting the amount of advance is to be made by two Commissioners, and only in the event of their differing is there to be any re-hearing, and then the re-hearing is to be by three Commissioners—one of whom is to be the Judicial Commissioner—and I presume the other two Commissioners will be, or may be, the two who heard the case before. Under the present proposals a single Commissioner is to decide these matters, and if any party thinks himself aggrieved there is to be an appeal to three other Commissioners, of whom one is the Commissioner who first heard the case. For my part, I very much prefer the procedure of the Bill to that now proposed to us. What I desire to point out is the essentially different character of the proposal to that in the Bill, and that the Chief Secretary has entirely misled the House by saying that the are identical. The Chief Secretary defended the proposal mainly on two grounds: the first the necessity for providing machinery for greatly extended operations under the Bill now before us, and he seemed to think that the Bill would necessarily result in a vast increase in business in the direction of purchase. I venture to think he is entirely mistaken; the Bill before us gives no additional facilities or inducements to purchase, but rather the reverse, the only extension is of the actual aggregate which may be advanced; any other change has been in the direction of restricting the two Ashbourne Acts, and, in the opinion of most of us, the 5th clause with respect to tenants' insurance will have a most injurious effect in restricting purchase. If under the Ashbourne Acts purchases have been effected at a rate a little over £1,000,000 a year it is safe to predict that under this Bill the rate will not be increased, but will be reduced. But the Chief Secretary said that the Bill imposes other duties on the Commissioners; they are, however, of a very contingent and remote character, namely, to report on cases of distress, and the

like. Surely it would be wise, before changing the constitution of the Commission, to obtain some experience as to the working of the new Act, and the effect it will have on the work of the Department. On the other hand, it is perfectly clear from the figures quoted by the Chief Secretary that, for one and a half years at the very least, the other three Commissioners will be amply and fully occupied in clearing off arrears of their own work. What, then, can possibly be the motive for taking them from their present duties? The other question raised is the necessity on appeal and the necessity for bringing into re-hearing the decisions of the Commissioners. I need not remind the House that the Act of 1885 expressly prohibited any appeals and re-hearing, except in matters of law. We are now asked to allow appeals, on any and every point in which any person may think himself aggrieved, and that the appeal shall be from a Commissioner who is thoroughly acquainted with the whole subject of land purchase to three others, who may be wholly ignorant of the business of land purchase. If there is to be an appeal or re-hearing in any special case it should follow the direction of the appeal in legal points, as provided by the Act of 1885—to be to the two Land Purchase Commissioners and a Judicial Commissioner. The real fact is, that this clause is for the express purpose of humiliating the Land Commissioners. The bitter attack of the hon. Member for South Tyrone made this abundantly clear. It is undoubtedly the fact that the Land Purchase Commissioners by their care and their zeal for Imperial credit, and their determination not to allow money to be advanced on bad security, have given mortal offence to many landlords. Mr. MacCarthy has also offended by refusing to make advances in the cases of the planters and emergency men, who have taken the place of evicted men. What is now proposed is to overrule Mr. MacCarthy by bringing on the other Land Commissioners who know nothing about land purchase, who have heard nothing of the previous proceedings, and have no knowledge of what is done in other cases to overrule Mr. MacCarthy, and the undoubted effect will be to tend to raise the rate of purchase, especially in the case of small holdings, to risk the credit of the State, and to make the measure unpopular with the country.

(9.55.) MR. JORDAN (Clare, W.): I oppose this clause mainly because I think the Land Purchase Commissioners have done their work fairly well and should not be superseded. I think also that the functions of the two classes of Commissioners should be kept distinct, the Purchase Commissioners fixing the capital value of the land, and the Land Commissioners the fair rent. The fixing of fair rent is not nearly so important as the fixing of capital value. The Land Commissioners have the fixing of fair rents for 15 years only, and any mistake they make is only applicable to that term, whereas the Purchase Commissioners have to fix the full value of the land for 49 years, or nearly half a century. I think their functions are much more important than those of the Land Commission. The hon. Member for South Tyrone has admitted that the Purchase Commissioners have done their work fairly well. If so, why should they be superseded? But, says the hon. Member, the transactions are enlarged, and the machinery should be quickened. If we want to quicken the pace, who are so likely to do it, or to do it as well as the present Purchase Commissioners? When the land purchase experiment was new, with all its initial difficulties and intricacies, the Commissioners did so well that we may fairly ask why should they not, with all the experience they have since derived, be able to do as well or even better in the future. I believe they are capable, if necessary, of doing double the amount of work they have done under the Ashbourne Act. On the other hand, you have the rent-fixing Department, where all the officials, except Mr. Wrench, are novices and know little of the land question. Beyond this, Mr. Wrench has only been in office a very short time. The Chief Secretary has not in his able speech to-night disproved the figures put forward by my hon. Friend the Member for West Belfast (Mr. Sexton). The hon. Member for South Tyrone has told us that the work of the rent-fixing Commissioners is almost exhausted. I would put it to the House whether this is really the case. In my opinion, there must be a

considerable prolongation of the rent-fixing process, which must necessarily go on, at least, for several years. If the rent-fixing Department will require even five years to clear off their work, how foolish is it now to mix them up with land purchase. Wait until their present work is exhausted, and if you then find the rent Commissioners are idle men you can legislate as you wish to legislate now, or you can pension them off; but until then why overweight the rent-fixing Commissioners with work for which at present they have not time or fitness? Why mix them up with these dual functions? The old adage is applicable, "Let the cobbler stick to his last," let each set of Commissioners stick to the work they know best, let those who have been doing their work well continue to do it. I have nothing to say personally against the rent-fixing Commissioners. Mr. Bewley is, I am informed, and I do not doubt it is a fact, a highly respectable man, and it is not my tendency to detract from the merits of any man. I am ready to say a good word when I can, even for Members of the present Ministry. Mr. Bewley, deservedly respected as he is, is simply a Judicial Commissioner, a high and dry Chancery lawyer. Lawyers are all fairly dry, but driest of all is a Chancery lawyer. I hope I am saying nothing offensive to learned limbs of the law who are also Members of this House. I do not see how the qualifications of a Chancery lawyer fit a man for deciding questions in dispute, which turn upon the decision whether a piece of land is worth 12 or 13 years' purchase, or the judicial rent. I do not know why the hon. Member for South Tyrone should have imported such heat into this discussion if he and those with whom he acts have no animus against Mr. J. G. MacCarthy and Mr. Lynch. I am willing to suppose he has no such animus, because I think we may say of the hon. Member that his "bark is worse than his bite," and it may be that his manner is assumed, in his character of special advocate for a class. Anyhow, his case against Mr. J. G. MacCarthy has hopelessly collapsed. I think that Mr. Commissioner MacCarthy wrote as expressing the opinion of the Department, and with the assent of Mr. Commissioner Lynch. If Mr. MacCarthy, in expressing that opinion, was under a misapprehension, yet believing as he did, the letter he penned did honour to him as a man and as custodian of the interests committed to his charge, both of the tenants and the State, and had he dismissed Mr. Saunders, instead of reprimanding him, he would not have exceeded his duty or strict justice. I supported the hon. Member for South Tyrone last night, and, at the risk of giving offence to my Party, I would support him still if I thought in this he was in the right, but I do not think so, and I take the liberty of earnestly advising him not to press this Amendment. If such an exactment should in the future appear desirable let it then be introduced. Are we not to have a Land Department Bill next year? Is the bringing forward the Bill a mere piece of hypocrisy—are the Government fooling the House? I will think better of the Ministry than that, and will suppose that it is their intention to bring forward the Land Department Bill if they should be in office. The Chief Secretary says this clause is part of their scheme in that Bill. Then leave it to be settled with the Bill. Why make the hon. Member for Derry the putative father of the proposal? The right hon. Gentleman found great difficulty in making out the semblance of a case. Would he not be wiser in leaving the thing alone now and letting the Purchase Commissioners continue to do the work which it is not alleged they are unable to do? Why should you anticipate a dead-lock in the purchase transactions? When a difficulty arises deal with it. Why should you degrade these Commissioners from the position they now hold, in which you admit they have done their work well, by associating with them other Commissioners who, from the fact of their drawing higher salaries, will assume a superior position? If it would remedy any defect in the working of the scheme of land purchase, I would support the clause, but the business of the rent-fixing Commissioners is largely in arrear, and likely to be for many years to come.

(10.15.) MR. M. HEALY (Cork): This is by far the most important issue raised since the Second Reading of the Bill. The clause proposed by the hon. Member for South Derry appears to me to endanger the very existence of the Bill, and strikes a blow at the whole policy of land pur-

chase. I am amazed that the Government should act in this perverse way, giving countenance and support to such a pernicious proposal. We have heard from hon. Members on this side of the House a great deal about the interests of the British taxpayer, and many of our hon. Friends from England have felt constrained to differ from us in the position we have taken up upon this Bill, and they have voted against the system of land purchase embodied in it on the ground that the interest of the British taxpayer is endangered thereby, but we have steadfastly supported the policy of the Government. Yet I am bound to say that if this clause passes into law, I, for one, will begin to think that those Irish Members who have supported the Bill have not been entirely wise, and if, indeed, there is any danger or possibility of the British taxpayer suffering loss by the proposals in the Bill that result will be brought about by the clause now proposed. I do not, however, pretend to oppose the clause in the interest of the British taxpayer. The interest I have in view is that of the Irish, not the English, taxpayer, because, as hon. Members will remember, the Irish taxpayer is interposed as a barrier between the English taxpayer and any possible loss to him under the Bill, and it is the Irish taxpayer who will first have to bear any loss or injury this clause may cause in bringing about the sanction of improvident bargains and consequent failures to meet the purchase annuities on the part of peasant proprietors. The risk of danger falls first upon the Irish taxpayer, and in his interest, primarily, I oppose the clause. This proposal, if adopted, will compel many hon. Members to totally change the point of view from which they have regarded the Bill. Land purchase administered by two men in whom we have confidence is one thing, but administration by five men in the majority of whom we have no confidence is quite a different thing. I, for one, will claim the liberty of re-considering the position I have hitherto taken in regard to the Bill if this clause should be adopted, and, instead of being its supporter, I shall think that, far from it being a benefit to Ireland, it may be the worst curse inflicted upon our country for many years. This clause has had a peculiar history. I do not say it has been brought forward in any breach of technical Rules of Order, but if no Rule of Order has been distinctly violated, I do suggest that the Procedure of the House has been abused by transactions in relation to this clause. It is admitted to be a capital clause of the utmost importance, and is it fair treatment to Members to capture their support to the Second Reading of the Bill on false pretences, to induce them to believe that the administration of the Bill would be in the hands of the two men who have administered the land purchase system in a way to command general confidence, and then at the fag-end of the Report stage to import a provision handing over the administration to a body in the majority of whom we have no confidence? It is introduced not in Committee, where it could be properly discussed, but on a stage when the facilities for properly discussing such a clause are greatly curtailed. It is introduced not on the responsibility of the hon. Member who makes the Motion, but as a Government proposal. When we consider, too, that just before the Whitsuntide vacation many hon. Members were induced to withdraw their Amendments from Committee, I say the House has not been treated fairly in this matter, and though, technically, there may have been no breach of Rule in the proceedings, I say that if we have many more instances of this kind the House will be driven to seriously re-consider its Rules on the ground that there has been an abuse of our Procedure in the manner in which this clause is put before us. This Bill involves a proposal for advancing £30,000,000; it is a scheme carefully matured by the Government; it is introduced for the second time, and yet we are not told until now that there is to be a change in the administration of these funds, and the selection of the Commissioners is left to a private Member. It is an unreasonable, an unconstitutional, proceeding, and this Conservative Government has added one more to the many instances given of their utter disregard for constitutional precedents hitherto governing procedure in this House. For the first time the Chief Secretary has had the co-operation of Irish Members in a Government measure of importance, and so perverse is his action that I am driven

to suppose that he has become tired of his unwonted position, and is determined that no act of his whole administration shall be one of which Irish Members can cordially approve. This proposal is part of that policy of packing which has from time to time appeared in his administration. We are familiar with jury - packing, we have seen the packing of the Magisterial Bench, and now the proposal is to pack the Land Commission. Having regard to the enormous sums of money the Commission will have to administer, I venture to think that this is probably the most serious of the tamperings with the constitution of Departments which from time to time has characterised the administration of the right hon. Gentleman. What are the pretexts upon which the clause is introduced—for of course they are not the real reasons for which it is promoted? In the first place, the hon. Member for South Derry, its putative father, does not appear to be very strong on the grounds for introducing the clause. He spoke vaguely of the work of the Land Purchase Department and the expense to litigants; he contented himself with vague generalities, not advancing a single instance in support of the proposal. Now, there is no Court in Ireland where the tenant has to pay less in the shape of costs than the Land Purchase Commission. I have had a good deal to do in the management of affairs for the tenant class in the Land Court, and I know that the whole cost of the proceedings has usually been borne by the landlord, very unwisely sometimes, for there are many matters before the Court upon which the tenant ought to be represented. Then it is said there have been great delays in the Court of the Land Purchase Commissioners, and here, again, the hon. Member was judiciously vague; he attempted to give no instances of such delay. Now, this Court has been in existence for six years, and during those six years there have been perpetually questions raised in this House commenting upon, and criticising the administration of, almost every Department in Ireland; but I challenge the hon. Member to examine the Records of this House and find any single criticism in debate or question reflecting on the history and proceedings of the Land Purchase Department. The hon. Member for South Tyrone mentioned one case in which he was able to allude to some delay. It was a case we never heard of before, in reference to which no questions have been asked, and as to the history of which I know nothing. It may have been that the delay was caused by the professional men engaged in the case. Then, again, stress has been laid upon the amount of knowledge of agricultural values. Upon this I will say that, in my opinion, the two Purchase Commissioners have, at least, as much knowledge as the three gentlemen who are to be added. The hon. Member for South Derry seemed to think that the three rent Commissioners must necessarily have acquaintance with agricultural matters, qualifying them to decide as to the value of land; but the fact is, fair rent appeals are decided, like every other judicial case, not on the personal knowledge of the Judges, but on the evidence given before them upon the reports and evidence of their valuers. It does not follow, because the three rent-fixing Commissioners have been going about hearing appeals, that therefore they have acquired agricultural knowledge, and the two Purchase Commissioners are probably as well qualified to decide the questions that arise before them as any Department in the United Kingdom. Of course, the real fact is — and it is practically admitted—that the three Fair Rent Commissioners are to be introduced not because they can give any assistance in the working of this Act, but for the sole purpose of serving as a Court of Appeal on questions of value from the decisions of the two existing Commissioners, Messrs. Lynch and MacCarthy. It is admitted that these Purchase Commissioners have work cut out for them in the way of appeals that will last them at least a year. For 10 years the Fair Rent Commissioners have been hearing appeals without having ever overtaken the mass of work which has accumulated on their shoulders. It is now said that in the course of another year they will have done so. I am exceedingly glad to hear that information. It will be very comforting to the great mass of the tenants in Ireland. I am professionally concerned for tenants whose appeals have been 2½ years pending, but have never been

listed, and are not likely to be listed for six months or 12 months. Under the circumstances, it is idle to tell me that these three learned Commissioners are likely to render any efficient service in the practical carrying out of the Act. It is to be observed that these gentlemen have other administrative duties. They have important duties under the Labourers Act, and they have administrative duties in regard to the Church Temporalities Fund. It is on these gentlemen, who have been for 10 years, and are still, in arrear with their work, that it is modestly proposed to dump down the additional work created by this Bill. It is perfectly plain that the real reason for this proposal is the reason given by the right hon. Gentleman the Member for Derby (Sir W. Harcourt). This clause is a vote of censure on Mr. John George MacCarthy. It would be throwing water on a drowned rat to allude any more to the ridiculous mare's nest which was discovered by the hon. Member for South Tyrone in reference to the estate of Lord Fermoy. The hon. Gentleman brought his allegations forward in such melo-dramatic tones that one would have naturally expected to find on the Paper a Notice of Motion calling on Her Majesty to remove Mr. MacCarthy from his position. It all amounted, however, to this: that some gentleman concerned in the Court had been accused of being guilty of sharp practice, and that Mr. MacCarthy wrote and asked him if it was correct. My own complaint in reference to the Purchase Commissioners in the matter of Lord Fermoy's estate is that they ever sanctioned the sale. The sale took place in the early days of the Land Purchase Act, at 20, or more than 20, years' purchase. It was a sale which the tenants afterwards made desperate efforts to get out of, and it was pressed on the tenants as the result of a long struggle with their landlord to obtain some reduction of their enormous rents. The transaction reflects no discredit on Mr. MacCarthy, and, if it could be examined, the person who would come badly out of it would be Mr. Saunders, the hero whom the hon. Member for South Tyrone (Mr. T. W. Russell) comes forward to defend. What is still more remarkable than the speech of the hon. Member for South Tyrone is the sinister silence of the Chief Secretary. For the first time during his administration an attack upon an Irish official has been passed over in silence by the right hon. Gentleman. If it happened that the meanest Resident Magistrate in Ireland, from Mr. Cecil Roche down to Colonel Caddell, was attacked, the right hon. Gentleman had his defence ready cut and dried. He was always ready to pour the vials of his wrath on anyone who ventured to impeach the competency of any of his officials. To-night, however, the head of an important Department, the Member to whom the Government in their own Bill propose to hand over the administration of £30,000,000 sterling, has been attacked, and we have heard no word of reproof from the right hon. Gentleman. This is, in effect, a proposal to change the men who are working the machinery of land purchase in Ireland, to give an appeal on the question of value from Mr. John George MacCarthy to Mr. Wrench. The hon. Member for South Tyrone argued that the Land Purchase Commissioners at present are the Court who have the confidence of the tenants, but that a Court ought to be a body who have the confidence both of landlords and tenants. He, therefore, proposes to introduce Mr. Wrench and the other gentleman as a counterpoise to Mr. John George MacCarthy and Mr. Lynch. The Land Purchase Department is an Executive Department administering the funds of the State, and it is a Court to carry out bargains between landlord and tenant. It is not a question of landlord and tenant having confidence in the Land Purchase Department; it is a question of the Irish and English public having confidence in the Department, and that alone is the issue in this case. The hon. Member for South Derry gave an example of a sale in Antrim, in which case the landlord and tenant agreed to present their agreement to the Land Purchase Commissioners, and the Commissioners sent down a valuer, who saw the farm when snow was on the ground, and induced the Commissioners to reject the sale. The hon. Member says there ought to be an appeal from one man. Applications for loans are frequently made to the Treasury, who, after due consideration, announce their decision. What would be said if we proposed there should be an appeal from the Treasury?

Mr. M. Healy

It is ridiculous to speak of an appeal from the Treasury or the Land Department. The practice of the Land Purchase Commissioners in doing their work through valuers has been sneered at. Does the hon. Member for South Derry expect that Mr. John George MacCarthy and Mr. Lynch are going to visit the properties themselves? Does he suggest that these three Commissioners will go through any process of the kind? No; they must act just as the Land Purchase Commissioners are acting. It is on information derived by Inspectors that the Land Commission, however constituted, must in the end decide, and therefore it is idle to suggest that the three Commissioners, when they are invested with authority under the Bill, will be a whit more competent to pronounce on a question of value than the two Purchase Commissioners. However an application comes before them, there is only one way in which they can satisfy themselves that the security is adequate, and that is by sending down a valuer, who will decide whether it is or not. The way in which the Court of Appeal, which has been put forward as a model, does its work is by this despised system of valuers, and it is the boast of the right hon. Gentleman the Chief Secretary that since they adopted the system of valuers they have done twice as much work as they did in the whole of their past history. Reference has been made to the case of Mr. O'Sullivan. So far from the action of Mr. Lynch in that case reflecting any discredit upon him, it was the highest testimony to his integrity. The principal member of the firm of solicitors who applied to Mr. Lynch for a loan was a near relative of his own. Mr. Lynch had the strongest interest in making an advance if he could. This is an attempt to degrade the Purchase Commissioners in salary and jurisdiction, and by being attacked in the House by a supporter of the Government, and having that attack passed over in silence by the Chief Secretary. There was something to be said for the proposals in the Land Department Bill. Those proposals were, at any rate, well considered and well matured. Whilst this clause imports into the working of the land purchase system a body of men in whom the Irish public have no confidence, on the other hand that Bill contained a great many excellent proposals which, to some extent, would have mitigated the objections which we take to this particular proposal. That Bill put the Land Purchase Commissioners on a perfect equality with the existing Land Commissioners. This clause will have a most mischievous effect. It will vitiate the whole Bill; it will render the Bill as hateful in the eyes of the Irish public as it appears it has hitherto been in the eyes of the English public.

(10.50.) MR. H. H. FOWLER (Wolverhampton, E.): I should like to say a word or two from what I may call a practical point of view. I can quite understand the action of the Chief Secretary and the Government in bringing in the Land Department Bill. Anybody who has the slightest acquaintance, even on this side of the Channel, with judicial administration in Ireland—the very lavish scale on which it is based, and the very easy manner in which it is worked—must say that the Government were right in proposing that there should be a thorough re-construction of the Land Department when there were very large and increased duties handed over to the Commissioners. I can also understand that, looking at the state of Public Business and the vast complexity of this measure, the Government should abandon for this year their Land Department scheme, and should content themselves with proposing to the House the land purchase scheme really as an extension of the Ashbourne Act. That was an intelligible policy, and one which apparently met with the approval of Parliament. But what I do not understand is this: that having decided to abandon the Land Department Bill, and having decided to omit all reference to the working of the Commission in this Bill, they should, on one of the last nights of the Report stage of the Bill, accept from one of their supporters, who is charged with no official responsibility, and who does not possess much official knowledge, a clause which has been provocative of the greatest difference of opinion in the House, a clause which must naturally very much impede the working of the Act. I ask the Chief Secretary what is the practical advantage to him and to the Irish Government and to land purchase in forcing this clause at this moment? I quite agree

you must re-construct your Land Department. I do not believe it is possible for the Land Purchase Commissioners to work out this scheme; they must have help, perhaps more than we contemplate. In the next 12 months nothing can be done by the aid of the clause you are now going to pass into law; and by passing this clause you will practically deprive yourselves of the power of an intelligible and statesmanlike re-construction of the Department. Let me recall the Chief Secretary's attention to the figures relating to business as stated in the Report of the Land Commissioners themselves. In their Report, presented to Parliament up to the end of August last year, the Commissioners say that 2,381 appeals from the Civil Bill Court and re-hearing of decisions of the Sub-Commissioners were disposed of by them during the year. They say the number of appeals lodged during the year was 2,781, that is 400 more than were disposed of. The number of appeals pending was 6,400. In January of this year the number of appeals lodged was 326, and the number disposed of 156. There we see the tendency is for the arrears to increase. In February last, 333 appeals were disposed of, while only 211 were lodged. My argument amounts to this: that even if they were overtaking their work, and I think it is probable they are, it would be absolutely impossible for any Land Commission to devote half of their judicial time during the next 12 months to the work of land purchase. How can they do that without neglecting their other duty? I think I am not straining the point when I say it will take two years before they can overtake the business. Mention was made last night of the conciliatory manner in which all sides of the House approached the difficult question of dealing with the evicted tenants. I do not suppose the Chief Secretary is so silly a man as to wish this great Act of his should not be a success. It is his interest that this great measure of land purchase should work with as little friction as possible, and with as satisfactory result as possible. It is evident that some time must elapse before the friction caused by this Debate will pass away. Possibly Mr. MacCarthy may feel aggrieved, and so also may Mr. Lynch, but certainly you have by this clause introduced an element of discord into an otherwise pacific measure. You are devoting an enormous sum to the pacification of Ireland, and surely it is in the interests of both landlords and tenants and of good government as well, that you should avoid introducing anything irritating and likely to provoke controversy in the working of the measure. If you pass this clause the Bill will be a dead letter for at least 12 months, and it may be for two years. For six years you have divided your Commissioners into two classes—three of them being appointed to settle fair rents, and two to deal with purchase questions. You are now going to throw an apple of discord into that Commission, with no practical result, for there will of necessity be great delay in dealing with the cases arising. It is inevitable that there must be a re-construction of the Land Department. The Chief Secretary rebuked me when I said the Purchase Commissioners were coming to the end of their duties. He said that the period during which the judicial rents were to be in force would shortly expire, and that that would bring a large access of work. It is quite evident, too, that there will be a large amount of work to be done by this Land Commission. We persist in opposing this clause, which has not been introduced on the responsibility of the Government, which forms no part of their scheme, and which emanates from hon. Members who are not conversant with the difficulties which the proposition involves. I think the wisest, safest, and best course will be to let the Amendment stand over on the understanding that the Chief Secretary will at the earliest possible period introduce a Bill for the proper re-construction of the Land Department, and for the utilisation of a great deal of the existing spare judicial power. That would, I think, tend to secure the working of this great Land Purchase scheme on satisfactory, peaceful, and, I hope, successful lines.

(11.4.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The speech of the right hon. Gentleman has been distinguished by a tone of moderation which was absent from some of the other speeches delivered earlier in the evening. My right hon. Friend the Chief Secretary recognises the spirit in which the

right hon. Gentleman has addressed the House, but in the observations he has made the right hon. Gentleman has indicated reasons which must induce the Government to adhere to the course which was indicated by my right hon. Friend earlier in the evening. The right hon. Gentleman has pointed out in strong, distinct, and clear language that as a permanent arrangement it would be impossible to leave the two Purchase Commissioners to deal alone with the great duties which would be placed upon them.

MR. H. H. FOWLER: I mean that two men cannot permanently discharge them.

MR. GOSCHEN: In other words, then, the Court would have to be re-constituted and placed on a proper basis. The right hon. Gentleman suggests as a measure of conciliation that the matter should be postponed until next year, when the Chief Secretary can re-introduce the Land Department Bill, and then take steps to place this Court on a proper footing. But the question to be considered is whether this delay might not risk the re-constitution of the Court being undertaken at all, and that re-constitution, as the right hon. Gentleman has very properly pointed out, is essential for the working of the scheme. Some hon. Members have spoken from the British point of view. If my right hon. Friend desired to pass the Land Department Bill early next Session, I do not know whether it would be possible to subordinate the other important British measures with which we have to deal in order to do it, and then we should be landed precisely where the right hon. Gentleman does not wish us to be. On the admission, therefore, of the right hon. Gentleman, the Government say it would be impossible to continue with safety to leave those important duties in the hands of two men, notwithstanding the manner in which they have conducted the business of their Department hitherto. Are the Government to run the risk of depending upon an opportunity of passing the measure next year, looking to all the chances of dealing with a large number of important questions? The sole object my right hon. Friend has in view is to strengthen the Court, not for want of confidence in the members of it, but on account of the increase and complication of their duties which will result from the passing of this measure. I have heard it suggested that it is somewhat of a degradation to those gentlemen that they are to be associated with other gentlemen receiving a different salary. I do not think it is any degradation for gentlemen to work together, even supposing they are on different sides, and receiving different salaries. That happens even in the case of Cabinet Ministers. Those Ministers, who have varying salaries, do not at all feel it to be a degradation to work together, and therefore I ask the House to put aside this question of degradation or slur on the present members of the Commission. My right hon. Friend disclaims in the strongest manner that anything he has said reflects in any way upon Mr. MacCarthy. The right hon. Gentleman thinks that Mr. MacCarthy may claim to be heard, but has not language similar to that complained of as having been used towards Mr. MacCarthy been used nearly a whole evening with regard to Mr. Wrench? It may equally be said, therefore, that Mr. Wrench has a claim to be heard. I trust that both these gentlemen will have the common sense to know that in no way has the House of Commons as a body reflected upon the way in which they have performed their duties. I trust that the heat which has characterised a portion of this Debate will pass away. I feel strongly with my right hon. Friend that if we are to have full confidence in the Court that it will do its work honestly and to the satisfaction of the country at large, it is necessary it should be re-constructed as proposed by this clause, and, in passing the clause, as I hope the House will, we must disclaim any intention to cast the slightest reflection upon any member of the Land Commission.

(11.14.) MR. CRILLY (Mayo, N.): We now know where we stand. The voice is the voice of Jacob, but the hand is the hand of Esau—the clause, which has emanated from supporters of the Government on these Benches is the clause of the Chancellor of the Exchequer and the Chief Secretary for Ireland. I think we have some justification for feeling heat in this matter. Why, if it was so necessary at the end of the discussions on this Bill to introduce a clause entirely altering the complexion of this Bill, was the clause not brought forward

by the Government? Why is the measure to be turned topsy-turvy by the hon. Member for South Tyrone and his Friend the Member for South Derry? I represent a large body of poor people in the West of Ireland who might have been benefited by this Bill, and I have a right to protest against the acceptance of this clause by the Government. I was one of those who from the first looked favourably upon this Bill. I regarded it as a measure which would be of benefit to the poor tenants in the West of Ireland, and I now join with the junior Member for the City of Cork in protesting against the introduction of a clause the sole object of which is the aggrandisement of the landlords. It is because I sympathise with the poor people in the West of Ireland, because I know that the introduction of the clause will unhinge and spoil and maim the Bill, that I give it my strenuous opposition. The hon. Member for South Tyrone has honestly avowed the purpose of this clause. He never minces matters. If he wants to fight the Plan of Campaign he fights it like a man, and when he wants to tell the truth about Mr. MacCarthy he does it in the same way. Undoubtedly, in supporting this clause, he is fighting Mr. MacCarthy and Mr. Lynch, the Land Purchase Commissioners, and it is because those gentlemen have the confidence of the Irish people that we protest against the acceptance of that clause. This is not a matter of mere sentiment. We have lived among our constituents, we are familiar with their sufferings, we know which way their sympathies tend, and therefore it is that we sometimes import a little heat into our speeches. If, by the acceptance of this clause, we thought it would be possible for justice to be meted out to both parties we would, of course, lookon it with favour; but we believe that the tenants will not receive justice under it. I am amazed at the action of the Government in to-night throwing over the two Purchase Commissioners. When the hon. Member for South Tyrone attacked Mr. MacCarthy did the Government remember that his appointment was made by a Conservative Minister? When the Chief Secretary of the day, the Member for the Dartford Division of Kent, was introducing the Bill of 1885, he and the then Attorney General (now Mr. Justice Holmes) both guaranteed that the two Commissioners appointed would be men in whom the country at large would have confidence. Well, the Government did appoint two such gentlemen. I contend that Mr. MacCarthy and Mr. Lynch have gained, and have deserved, the confidence of Irishmen and Englishmen, and I object altogether to this insidious attempt to undermine their authority and destroy their position. We shall, therefore, oppose the clause to the bitter end. I have gone to the trouble of analysing the Returns issued by the Land Purchase Department, but the hon. Member for West Belfast has forestalled me. But I may point out that during the five years Messrs. MacCarthy and Lynch have been administrating the Department they have had 23,348 applications before them for advances out of the British Treasury to the gross amount of £9,217,380. Of these they have rejected — because they have conscientiously attended to their duties— claims to the amount of £964,702. What a howl of delight would have gone up from the landlords of Ireland if these men had not exercised their power of supervision in such an active and efficient way, and had passed all these claims! But although they have had such an enormous number of claims before them, they have been able to get through their work so well that in August, 1890, they had provisionally sanctioned advances to 17,550 applicants. I want now to point the contrast. These two gentlemen had in their hands the distribution of £10,000,000. They received applications to the extent of £9,217,000. They actually issued a sum practically amounting to £6,000,000. In view of the insidious character of this clause, I would ask hon. Members to observe how these two men have watched over the Public Purse. On the 21st of August, 1890, upon this enormous sum of £6,000,000 the only arrears owing amounted to £7,657, and by the 31st of October this amount had been reduced to £2,554, and the Land Purchase Commissioners say that, with the exception of £611, the whole of these arrears were due in respect of the half-yearly instalments payable on the 1st of May, 1890. The experience of the Commissioners is that all they have to do is to give some little notice and the great bulk of the arrears comes in. So that to-day these gentle-

men have acted so faithfully to the trust reposed in them that, as a result of their large expenditure, there is a sum of something like £700 or £800 only due to-day. This fact may be due either to the honesty of the Irish tenants or to the vigilance of the Land Purchase Commissioners or to both. We have had cause for many years to believe in the honesty of the Irish tenants, whose spokesmen we are in this House. I would only refer to one little fact more, and I have finished. The last Report of the Land Commissioners showed that in 1890 the purchase price of land in Ireland amounted to 16·7 of the annual rental, whereas this Bill permits the Land Commission, if necessary, to advance 20 years' purchase. We hold that it is necessary for the interests of the Irish people, and for the interests of the British taxpayer, that the faithful service of these gentlemen should be recognised, and that we must resist to the very last, and as bitterly as we can, any attempt to weaken or undermine the authority of these experienced and trusted men. I hope, therefore, that the suggestion thrown out by the right hon. Gentleman the Member for Wolverhampton (Mr. H. Fowler) will be accepted. Despite the—shall I use an Irish phrase and say—soft-sawderizing speech of the Chancellor of the Exchequer, we think this clause should be delayed. As one who hopes the Bill will do some good among the poorer class of tenants in Ireland, I would ask hon. Members to resent and resist as far as they possibly can the introduction of this clause, which has not been put down until the eleventh moment. It is a clause which will make the Bill inoperative in Ireland, which will place the Irish tenant at the mercy of his landlord, and will, in consequence, re-open the whole agrarian war in Ireland. By accepting this clause the Government, instead of holding out the olive branch to the Irish people, are sounding the note of war. I trust the House will realise the fact that we below the Gangway, as representing the Irish tenants, unanimously oppose this clause, and we trust that if the Government have been actuated by fair and honest motives in introducing this Bill they will, even now, re-consider their decision and refuse to accept the clause.

(11.39.) MR. P. J. POWER (Waterford, E.): I think the right hon. Gentleman the Member for Wolverhampton (Mr. H. Fowler) clearly showed that this clause, even if it passes, will be inoperative for some time. He said he considered that the Commissioners would not have much to do, but then he recognised that he was misinformed on that subject, and that they would have a great deal to do. The Chancellor of the Exchequer stood up to answer the right hon. Gentleman the Member for Wolverhampton, but he did not allude to that branch of the subject at all, and he said it was necessary, if this land purchase was to go on in Ireland, that additional assistance should be given to the Department. Well, I venture to point out that for the first year or 18 months there will be no great crowding of work in the Land Department, in fact, that the rate of purchase will be what it has been for some time past. The working of this Bill will be slower than that of the Ashbourne Act, owing to the local guarantees. The Chancellor of the Exchequer said it was necessary to give further assistance to the Land Commissioners, and that if it was not given it would lead to the choking of the department. I say that that is not the case. The working of the measure will depend on the men to whom the work is entrusted, and if you appoint the Land Commissioners and make them Commissioners in the Land Purchase Department, you will have to cancel the appointments before long. The arrears will become so great that you will have to appoint new Commissioners, and if you do that you will create vested interests, which you will find it difficult hereafter to interfere with. I cannot see what hurry there is for making this change. I venture to say that the right hon. Gentleman the Member for Wolverhampton is correct in his forecast that this clause will prove inoperative. More than that, I am against it in principle, believing that in voting Supply we have a right to debate the views of those who dispense it. In this clause you are taking out of our hands what we believe to be the right of the House of Commons to inquire into the way in which these men perform their duties. To my mind there is nothing urgent in this, and you will only bring about per-

plexity, and make the working of the measure impossible, and prejudice the Irish people against it, if you adopt this clause. Even from the Government point of view the wisest thing would be to take time in the matter.

(11.44.) MR. COLLERY (Sligo, N.): I do not wish to prolong the Debate, but I listened attentively to the speeches from the Treasury Bench, and from the hon. Gentleman who introduced the clause, and I am bound to say I heard no valid reason given why these three additional Commissioners should be added to the present Land Purchase Commission. I listened to hear whether it could be shown that the two Land Purchase Commissioners had not fully and adequately discharged their duties. I thought I should hear some arguments brought forward to show this, but none have been advanced. There have been many additions made to the Bill at the instance of the Government, but it seems to me they will only tend to complicate it. It seems to me that the Irish tenants will derive very little consolation from the measure. The hon. Member for South Tyrone declared that he spoke in the interest of the Irish tenant farmers, but I should like to know where he has studied the interests of the Irish tenant farmers? If he had ascertained their feelings he would have known that they are not in favour of this clause, and will not be willing to be drawn into the net prepared for them. The Chief Secretary has tried to make a great measure, but he has only succeeded in making such a measure that very few people in Ireland will be able to take advantage of or understand. I honestly confess I do not understand its difficult and complicated clauses. The three Commissioners about to be added to strengthen the Land Purchase Commission are three gentlemen who, to my own knowledge, have so delayed their own work that cases have been erased from the lists without having been heard, owing to the death of one of the parties. A case of this kind occurred within my own experience in Sligo. The case was thrown back, owing to the Commissioner starting away at 1 o'clock in the day in order to catch a train to Dublin. There was then a long delay, and an old woman who was one of the parties in the case died. The Commissioner has not returned yet, and when he does he will find the case erased from the list. These three Land Commissioners are to be introduced into the Land Purchase Court to do work that has hitherto been well done, and I think, under the circumstances, it would be to the interest of the country at large that the right hon. Gentleman the Chief Secretary should re-consider his decision, and postpone the clause for the present.

(11.50.) The House divided:—Ayes 136; Noes 83.—(Div. List, No. 268.)

Clause read a second time.

It being after Midnight, Further Proceeding stood adjourned.

Bill, as amended, to be further considered upon Monday next.

PUBLIC ACCOUNTS AND CHARGES BILL.—(No. 252.)

Considered in Committee, and reported, without Amendment; to be read the third time upon Monday next.

GLEBE LANDS BILL.—(No. 109.)

Order for Second Reading read, and discharged.

Bill withdrawn.

SELECTION (STANDING COMMITTEES.)

Sir JOHN MOWBRAY reported from the Committee of Selection; That they had discharged Mr. Theodore Fry from the Standing Committee on Law, and Courts of Justice, and Legal Procedure, in respect of the Stamp Duties Bill and the Stamp Duties Management Bill, and had appointed in substitution: Mr. Samuel Montagu.

Report to lie upon the Table.

BUSINESS OF THE HOUSE.

MR. SEXTON: May I ask what business is to be taken on Monday?

MR. GOSCHEN: The Motion for the introduction of the Assisted Education Bill will be taken as the first Order, and the Land Bill will appear on the Paper as the second Order.

House adjourned at ten minutes after Twelve o'clock till Monday next.

An Asterisk at the commencement of a Speech indicates revision by the Member.
by Contract with H.M.'s Government.

HOUSE OF LORDS,

Monday, 8th June, 1891.

SAT FIRST.

The Lord Magheramorne, after the death of his father.

CHAIRMAN OF COMMITTEES.

Moved, "That the Lord Foxford (E. Limerick) do take the chair in Committees of the Whole House in the absence of the Earl of Morley."

Motion agreed to.

SEAL FISHERY (BEHRING'S SEA) BILL.

(No. 148.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, I have to move the Second Reading of this Bill, which is connected with negotiations which have been in progress for some time, in reference to Behring's Sea, and the differences which have arisen between the United States and our Government upon them. It is a matter which, of course, does not interest this mother country, in the first instance, directly, but mainly interests the Dominion of Canada; and in mentioning the Dominion of Canada I feel that before referring to the provisions of the Bill, I can hardly do otherwise than express the very deep grief with which all parties in this country have heard of the great loss the Dominion has sustained by the death of Sir John Macdonald. Whatever opinions may be entertained—and necessarily, in Party fights, different estimates will be formed—whatever estimate may be made of the views he took upon the various issues that were presented to him, there can be no doubt that he was a great statesman, as great a statesman of the constitutional kind as any our generation has seen, and that to his efforts Canada owes the marvellous progress which, above all the domains of the British Crown, she has exhibited in recent years. The Dominion has deep cause to regret the loss of a statesman who has so largely contributed to lay the foundation of her great prosperity and progress, and the British Empire has deep cause to regret the death of a statesman who was through life its devoted champion. My Lords, the measure I am now proposing to your Lordships is one for enabling Her Majesty to stop seal hunting on the part of the British subjects in Behring's Sea for periods specified in an Order in Council. The first aim of this provision is to enable Her Majesty's Government to come to an agreement with the United States to suspend the hunting for seals in Behring's Sea, or a great part thereof, during the ensuing season. As your Lordships are aware, there has been for some time a very vigorous discussion proceeding between the United States and this country. The United States have asserted claims over the open sea, and a right to stop the hunting of seals in that sea, which Her Majesty's Government have not admitted and cannot admit. After much discussion we have agreed in principle that our difference shall be referred to arbitration, and we hope that the terms on which that arbitration is to be established are almost agreed upon. I believe that very few points of difference remain, but in the meantime the cause which, according to the statement of the President, has mainly actuated the United States, namely, the desire to prevent the extermination of an animal which sustains a valuable industry—that question remains unsolved, and there are many persons in the United States who are of opinion that if we wait until the work of arbitration is completed, a very serious, if not a fatal, blow may have been struck against that industry. There is no doubt that the catch of seals has increased largely of recent years, and some experts declare that grounds which were formerly covered with them are now almost denuded. I do not at all conceal from myself that that opinion is not universal. The Government of Canada, I think, doubts very much whether the statistics on this point are correct; but, at all events, these apprehensions have this circumstance in their favour—that unrestricted permission to all nations to hunt the seal at all times has resulted in other parts of the world in its entire ex-

termination. Formerly seals were common on the coasts of South America and at the Falkland Islands; now they are hardly to be found there. There is, therefore, a serious danger to be averted, and we can hardly wonder that the United States should be anxious that an industry, which to them is so very valuable, should not incur any danger from neglect. They propose that over that part of the sea which they are authorised by their own Congress to deal with, and on all the islands and coasts belonging to the United States, there shall be no sealing until the month of May, 1892, if Her Majesty's Government will arrest the progress of British seal hunting in the same waters during the same time. It seems to us that on the whole this is a reasonable proposition, and that we should be justly incurring the censure, not only of the United States, but of the civilised world, if by adhering too closely to any technical right we were to run the risk of the destruction of this valuable industry and valuable animal. Of course we are aware that some injury may be done by these arrangements to private interests, the claims of which it will be necessary to meet. The notice has come late in the year, and the seal hunters have made preparations which cannot now be stopped. Ships have been fitted out for sealing in these particular waters which may not be able to find employment elsewhere. On the other hand, there is no doubt that seals which are caught more to the west will very much rise in price, and a certain compensation will to that extent be afforded. It is impossible to say beforehand whether there will be any practical loss or not, or to what extent that loss will go. The consent of the Dominion of Canada to the Bill we propose mainly turns upon two points. First, that the United States should agree with us with respect to arbitration, which I believe they fully intend to do, and, secondly, that compensation should be given whenever there has been a real loss in consequence of the action of the British Government. Who is to pay that compensation is a more abstruse question. We do not deny that, if compensation should be required, a part of it may properly fall on the British Government. We are inclined to dispute that the whole should fall upon the British Government. I do not know whether we shall persuade the Dominion of Canada to take our view upon that point; but time presses, and it would be impossible to defer action until, by the exchange of telegrams, this difficult question should have been solved. Therefore, in the first instance, as stated in the House of Commons, we have assumed the liability for compensation. I do not think that in any case it can be heavy. The provisions of the Bill are few and short, and I do not think they lend themselves much to criticism. There is only one change that I desire to be allowed to make in the Bill; it is not a large matter, and it is in the nature rather of restricting than of extending its action. I wish to be able to alter the sixth line of the first clause. Instead of its reading that—

"Her Majesty the Queen may, by Order in Council, prohibit the catching of seals by British ships in Behring Sea,"

during the period limited by the Order, I would add—

"Or any such part thereof as may be named in the said Order."

It is obviously necessary that our prohibition should be exactly co-terminous with that of the United States, and I do not know how far they will be inclined to go. That is not, however, a question of principle, or a difficult matter. There is no other alteration which I have to make in the Bill, and it would, no doubt, diplomatically, be very convenient if your Lordships, after reading the Bill a second time, are willing to pass it through its remaining stages to-night. Of course, if there is any strong objection to that course, I cannot urge it; but time, as I have said, is running out, and every day or two days is of importance. With these observations, I beg to move the Second Reading of the Bill.

Moved, "That the Bill be now read 2ª."—(*The Marquess of Salisbury.*)

*The Earl of KIMBERLEY: Before I offer any remarks upon the Bill I desire to fully re-echo the Prime Minister's expression of regret, which I am sure is felt by every Member of this House, at the great loss which has been sustained by the Dominion of Canada, and I may say by the Empire at large, in the death of Sir John Macdonald. With

a short exception the reins of Government have been almost entirely in his hands since the formation of the Dominion, and it was certainly a singular good fortune to Canada and the Empire that a statesman of his powers and ability should have been found to conduct the Government of the Dominion during the extremely critical period which followed its formation. I think it is not too much to say that the solidity of the Dominion and the prospect of its permanence are in a great degree owing to the wisdom, foresight, and energy with which he conducted its Government. I need add nothing more with regard to Sir John Macdonald, whose acquaintance I had the honour to psssess, and with whom I have had the pleasure many times to transact business, than to say that he was not only a colonial statesman, who conducted colonial affairs with great wisdom, discretion, and success, but that he was distinguished by a thorough attachment to this country and to the Empire at large, and by a loyalty which he displayed on all occasions. With regard to the Bill itself, I have no criticism to offer, and I should rather confine myself to an expression of satisfaction at the prospect of this controversy being terminated. I have had the opportunity, as your Lordships have had, of reading the Despatches of the noble Marquess on this subject, which have been published, and for my own part, I most willingly say that I have seen with great pleasure the firmness with which he has maintained the right of this country to use an open sea. At the same time, in a matter of this kind, which involves the relations between two great countries such as Great Britain and the United States, it is clearly for the advantage of both that any disputes or claims arising between the two countries should be settled by arbitration and by peaceful means, and, therefore, I welcome the announcement of the noble Marquess that the terms of arbitration are practically settled, so that we may look forward to a speedy and complete determination of this dispute. I only wish now to ask the noble Marquess, if he can give us any information upon the point, whether it is not also necessary that as Russia has also a considerable interest in these seas, an understanding with Russia should be arrived at. I should be glad to know whether that has been done. There was one point which I was sorry to hear has not been settled, although I daresay the reason given by the noble Marquess of not delaying the Bill is abundantly sufficient. I am sorry to hear that no agreement has been come to with the Government of the Dominion with regard to the question of compensation. Certainly it appears that, the Dominion having so large and so direct an interest in the question, a portion, at all events, of the compensation should be borne by the Government of Canada. That would be only reasonable. However, that question may be settled hereafter, and I can only say that as no one desires to impede the progress of the Bill, I think the House will assent to the suspension of the Standing Orders, which the noble Marquess desires to obtain.

LORD DENMAN: My Lords, I think this is an exceedingly useful Bill. At the same time the remark of the noble Earl as to the necessity of a good understanding with Russia is one which affects me very deeply, for in 1860, my brother, who is now a judge, and the late Lord Shaftesbury attended one of the sensational meetings in Guildhall, when the wish was expressed that the British Ambassador should be withdrawn from Russia, and I denounced such conduct in the House at the time. I wish to explain that I was only at the Guildhall meeting a very short time, because I did not think it at all right to interfere with the domestic government of Russia, and I earnestly hope that we shall always consider the difficulties in which the rulers of that country are placed. We must be very careful not to say anything which ill-meaning parties may twist into hatred for their rulers, and I beg to say that I thoroughly disapprove of any attempt to move the Czar of Russia, except by communication through his Ambassador. Coming to the immediate objects of this measure, I believe it is to the interest of all nations that a close time should be reserved for the seals, and it is necessary that there should be facilities afforded between each country for mercantile transactions.

THE MARQUESS OF SALISBURY: With reference to what the noble Lord (the Earl of Kimberley) said, we have

ascertained that the Russian Government are entirely favourable to our views. We have not an actual agreement with them. There is, I believe, some difficulty as to the form the agreement should take, but I hope we may persuade them simply to state the periods during which sealing shall be unlawful for their subjects, which will be sufficient for the purpose. If I might correct one word which was used by the noble Earl, he said he was glad to hear that we were "practically agreed" upon the terms of our arbitration; I said "nearly" agreed upon the terms of it. That is a shade of difference which I am obliged to take. I have no further observations to make, and I now move that the Bill be read a second time.

On Question, agreed to.

Bill read 2ª (according to order): Then Standing Orders No. XXXIX. and XLV. considered (according to Order) and dispensed with; Committee negatived; Bill read 3ª: An Amendment made: Bill passed, and returned to the Commons.

EPISCOPAL APPOINTMENT FEES.

OBSERVATIONS.

VISCOUNT BARRINGTON, in whose name a notice appeared on the Paper to ask Her Majesty's Government what fees and charges are payable by Archbishops and Bishops on appointment; who receives them; and what services are rendered for them, said: My Lords, with regard to the notice which stands in my name, I have this day received an intimation from the noble Marquess at the head of Her Majesty's Government, that it would be convenient and desirable that I should postpone the question for a week. I can only say I shall be most happy to meet his views, and postpone it to any day he may think convenient.

THE MARQUESS OF SALISBURY: We are very anxious to afford all the information we can on the subject, but I have some doubt whether the words of the question of the noble Lord will make the case quite so strong for himself as it could be made. Therefore we want to inquire further in order to see what are the real burdens placed upon an incoming Bishop, which I am inclined to think are very much too severe.

The Marquess of Salisbury

THE WATER FAMINE AT PORT OF SPAIN.

QUESTION—OBSERVATIONS.

VISCOUNT GALWAY, in rising to ask the Secretary of State for the Colonies whether he has received any further information with regard to the water famine at Port of Spain; whether it is true that the water is only turned on for a few hours daily; and whether he will, in concert with the Director of Public Works, take the necessary steps to have Port of Spain adequately supplied with water in accordance with the plans prepared and recommended last year, said: My Lords, since I last put a question to the noble Lord the Secretary of State for the Colonies in regard to the water famine at Port of Spain, it has been stated that water has only been turned on for a few hours daily. This is a matter of great importance to the inhabitants of the town, and I beg to ask the question which stands in my name.

*THE SECRETARY OF STATE FOR THE COLONIES (Lord KNUTSFORD): My Lords, there is no doubt that, unfortunately, there has been a very severe drought in Trinidad, and, as sometimes happens even in this country, it has been found necessary to lessen the regular daily supply of water. I am informed that the water supply in Port of Spain has been shut off during a part of each day; but it is not quite correct to say, as in the question, that it is only turned on for a few hours a day. Since the noble Viscount last asked a question on the subject, I have had no further information from the Governor. It rests with the Colonial Government and the Colonial Legislature to decide what steps, if any, can be taken to improve the water supply, or what course should be adopted for that purpose. I have, however, called upon the Governor to report to me fully upon the subject.

MUSEUMS AND GYMNASIUMS BILL.

(No. 57.)

House in Committee (according to Order): Bill reported without amendment; and re-committed to the Standing Committee.

REFORMATORY AND INDUSTRIAL SCHOOL CHILDREN BILL.—(No. 125.)

House in Committee (according to Order).

THE EARL OF CAMPERDOWN: My Lords, at line 17, I propose to omit the words "Scotland or" for the purpose of extending the operation of this Bill to Scotland. I have had several applications made to me by managers of Industrial and Reformatory Schools, who are anxious that the provisions of the Bill should be applied to Scotland; and as, since the Second Reading was taken, I have made such inquiries as I can, and cannot find there is any probability of opposition to the Bill being so extended, I propose to omit those words.

LORD MONKSWELL: I will accept the Amendment with pleasure.

Amendment moved, in page 1, line 17, to leave out the words "Scotland or." —(*The Earl of Camperdown.*)

Amendment agreed to.

Bill committed to the Standing Committee.

BETTING AND LOANS (INFANTS) BILL [H.L.]—(No. 141.)

Read 3ª (according to Order), and passed, and sent to the Commons.

SAVINGS BANKS BILL.—(No. 142.)

THIRD READING.

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3ª."

LORD DENMAN: My Lords, I pledged myself to oppose this Bill at every stage. It jumped very quickly through the last stage. I was present last Monday at a meeting of Savings Bank managers, and I found no approbation of the Bill whatever. I attended last Friday at a general half-yearly meeting, and we learned that the opinions of the Trustees were then being submitted. No names were mentioned at that time. I do not know that the small number of names which have been added since will have increased the confidence of the country in such a measure. I conceive that this is the most dangerous measure that ever was presented to Parliament. It is an attempt to get away from the present Savings Banks all their money, and to draw that money into the Post Office Savings Bank. The first attack upon the Savings Banks was depriving them of the ¼ per cent. interest beyond the Savings Bank rate. The Post Office Savings Bank has a great advantage for persons who travel from place to place, in respect of their being able to withdraw their money at any post office in the Kingdom. The amount to be invested in these Savings Banks was only £30 for each individual, and now it is wished that the amount should be extended, and that the Savings Banks should be obliged to pay all their money into the Treasury—into the hands of the Commissioners for the Reduction of the Public Debt. I know that if they ever want to invest money they are deprived of the power of investing it to the same amount as they were entitled to before. Trustees incur a liability, no doubt. I am myself a Trustee, and I am ready to stand to my responsibility. In my neighbourhood there are a good many Trustees—the Duke of Devonshire, the Duke of Rutland, and others connected with the county—and the managers do their work carefully, without much expense. If you have to dispense with the services of those officers you will be obliged to employ a great number of clerks, and in the Post Office they are already overworked. They are complaining of that. I can only say that the security of having the first men in every county at the head of the Savings Banks is a very great inducement to the people in the neighbourhood to deposit their money there. I have never complained of anything that I had the power of opposing, and I do hope that this Money Bill will not be accepted by your Lordships. We have had one Money Bill lately to enable the County Councils to expend 30 guineas for a particular purpose. We tried to alter it in this House, but without avail. We must not interfere with the privilege of the House of Commons, and I am quite certain if you pass this Bill you will repent it. One noble Lord in my neighbourhood (Earl Cowper) accepted the office of president of a dispensary; and if that noble Lord had put his name down as Trustee of a Savings Bank, I am certain the number of depositors would have been very much increased. We have

property in our care; it is well administered, and we are anxious that every man should feel confidence in us, confidence which they could not entertain in the same way in the Post Office Savings Bank, because it is subject to a continual paring down by Parliament. The Conservative Party is not strong enough in this House. The agricultural interest is very much depressed in this country, and I earnestly hope it will soon revive. I beg to move that this Bill be read this day 10 months.

Amendment moved to leave out ("now"), and add at the end of Motion ("this day ten months.")—(*The Lord Denman.*)

On Question, whether ("now") shall stand part of the Motion, resolved in the affirmative.

Bill read 2ª accordingly, with the Amendments.

LORD HERSCHELL: My Lords, on the Motion "That the Bill do pass," I have to move the Amendment of which I have given notice in Clause 10, page 6, in the last sub-section, which prohibits, in effect, any Savings Bank making special investments, unless it has exercised its statutory power before the 20th November, 1890. Now, the Statute which authorises those investments is still in force, and this Act proposes to put certain restrictions upon them. One of those restrictions is, as I understand, to prohibit for ever hereafter the making of any of the investments which that Act authorises, unless the bank has made them before the day named. If it has made them before that day it can continue them, but subject to certain statutory restrictions contained in the earlier part of the clause. I know that at least one important Savings Bank—and I believe of a very high character—has made these special investments subsequently to the 20th November, 1890, and on the last occasion when I called attention to the matter the noble Lord who represents the Board of Trade gave no reason why that date had been fixed; he merely said there was a fear lest banks might make such investments in view of the passing of this Act though they had not hitherto made them. But the truth is, these provisions have not, I think, become so widely known as he supposes; and, in any case, it is difficult to see how anybody can justify drawing an arbitrary line in that way on a particular date, no reason being given why that date has been chosen rather than any other. It seems to be quite arbitrary, because the day so fixed was long before this Bill was introduced; and to say that any bank which has made investments of this kind under existing Statutes and in conformity with its rules shall, by the fixing of an arbitrary date, be prohibited from continuing those investments in future, seems rather unreasonable. I would suggest that if the words "before the passing of this Act" be substituted, they would sufficiently answer the purpose.

*THE MARQUESS OF SALISBURY: I expressed some doubt as to this clause when the Bill was last before the House, and I have inquired of the proper authorities about the matter. It appears that November 20th is the ordinary financial day for these Savings Banks. It is the date to which their assets are made up and from which they start yearly as regards their financial position. There is an obvious convenience, therefore, in accommodating all their financial proceedings to that date. I do not think the matter is of any great importance, but it turns out not to be so unreasonable as it certainly seemed to me when the noble and learned Lord first mentioned it. It is a very natural thing to take the end of the financial year in regard to these banks just as in dealing with matters affecting the Public Purse.

*THE EARL OF KIMBERLEY: I was rather disappointed to hear the noble Marquess object to the noble and learned Lord's Amendment. I hardly think the reason he gave is an adequate one. Of course, it is convenient that the accounts should be made up on a particular day, but I do not see that the fact that something will have to be brought into account after that particular day in that particular year will cause any serious inconvenience, and I would submit to the noble Marquess that unless there is some very strong reason for it, retrospective legislation of this kind is not very desirable. It is retrospective legislation to deprive these Savings Banks of a power which they possess at this moment, and which, in ignorance of this

Bill, they have exercised. Of course, if there is a serious abuse of that power, it must be remedied; but if there is not an abuse of that kind to be remedied, it seems to me to be rather out of our usual course to prohibit these banks retrospectively from doing that which was lawful when they had actually done it. That appears to me to be a consideration to which the noble Marquess would perhaps attribute weight, and I hope the noble and learned Lord's Amendment will be agreed to.

*THE MARQUESS OF SALISBURY: There seems to be some misapprehension. I do not read the sub-section in the same light as the noble Earl, I think, reads it. I gather that he thinks it may prohibit the making of these investments after the 20th November, 1890. It does not do that. What it does is to prohibit the making of these investments after the passing of this Act unless the bank has exercised the power before this particular date. That is to say, it makes two classes of banks, those which did before the 20th November exercise that power, and those which have not done it; but it does not invalidate anything done between that date and this. I imagine that special investments made under particular circumstances after the 20th November, and before the passing of the Act, would be good.

*THE EARL OF KIMBERLEY: But the difficulty is that the bank is not to be allowed to exercise the power after the 20th November, 1890, if it has not previously exercised the power.

THE MARQUESS OF SALISBURY: Under this Act.

*THE EARL OF KIMBERLEY: The noble Marquess, I find, is right: it is not to be exercised under this Act. But why is one bank to be placed in a position of disadvantage as regards another bank merely because there has been certain restrictions imposed in this way? If it is a *bonâ fide* investment, and the bank is a solid bank, I do not see why it is to be placed in a less favourable position than a bank which happens to have exercised the power before that date. That is exactly the point, I think.

*THE MARQUESS OF SALISBURY: I am afraid if that be so I must have hopelessly misunderstood it. There is no disability inflicted upon a bank by reason of its having made these subsequent investments.

THE EARL OF KIMBERLEY: There is the reason of its not having done it before.

*THE MARQUESS OF SALISBURY: I am quite willing to add words giving the Treasury a dispensing power in the event of awkward cases arising.

LORD HERSCHELL: That would do, I think; or I might suggest this—as public attention has now been called to the matter, you might fix the 1st June as the date rather than the 20th November.

*THE MARQUESS OF SALISBURY: I would rather give a discretion to the Treasury; because, after all, the Banks might say they do not always read the Reports in your Lordships' House. However, my noble Friend prefers the view of the noble and learned Lord opposite (Lord Herschell), so we will make the date the 1st of June.

LORD HERSCHELL: In that case I move to substitute the date "1st June, 1891," for "20th November, 1890."—Agreed.

Bill passed, and returned to the Commons.

EVIDENCE IN CRIMINAL CASES BILL [H.L.].—(No. 144.)

Read 3ª (according to Order), and passed, and sent to the Commons.

HERRING BRANDING (NORTHUMBERLAND) BILL.—(No. 92.)

Read 3ª (according to Order), with the Amendment, and passed, and returned to the Commons.

BRINE PUMPING (COMPENSATION FOR SUBSIDENCE) BILL.—(No. 131.)

Message to the Commons for copy of the Report, &c., of the Select Committee.

House adjourned at twenty minutes past Five o'clock, till to-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 8th June, 1891.

QUESTIONS.

ARMS FOR REGIMENTS IN INDIA.

COLONEL EYRE (Lincolnshire, Gainsborough): I beg to ask the Secretary of State for War whether regiments under orders for India, now armed with the magazine rifle, will, on proceeding to India, exchange the magazine rifle for the Martini?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The subject referred to in the question of the hon. Member is now under consideration between the War Office and the India Office. I shall be glad to explain to my hon. Friend privately some of the difficulties in detail which have arisen.

EDUCATION REPORT FOR 1890-91.

MR. SUMMERS (Huddersfield): I beg to ask the Vice President of the Committee of Council on Education whether he can state when the Report of the Committee of Council on Education for 1890-91 will be presented to Parliament?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The Report is in preparation, and will be presented to Parliament at about the usual time.

MR. SUMMERS: Does the right hon. Gentleman mean this month or next?

*SIR W. HART DYKE: Next month.

GEOLOGICAL SURVEY—SOUTH WALES AND MONMOUTHSHIRE MINERAL DISTRICTS.

SIR H. VIVIAN (Swansea, District): I beg to ask the Vice President of the Committee of Council on Education whether, in view of the great importance of the South Wales and Monmouthshire coal field, and the fact that the coal fields of Durham, Northumberland, Yorkshire, and Lancashire have been for the most part geologically surveyed on the 6-inch scale, he will give directions that the geological survey of the mineral districts of South Wales and Monmouthshire shall be immediately taken in hand and vigorously prosecuted on that scale?

*SIR W. HART DYKE: I am in communication with the Director of the Geological Survey on the subject, and if the hon. Member will postpone his question for a few days I shall be in a position to afford him full information.

CAVALRY ACCOUTREMENTS.

MAJOR RASCH (Essex, S.E.): I beg to ask the Secretary of State for War whether he will consider the possibility of abolishing breast plates in addition to cruppers in cavalry regiments, retaining a small percentage for horses of peculiar make, on account of the saving of expense and increased freedom of action to the troop horse?

MR. E. STANHOPE: I am advised that it would probably lead to considerable loss from injury to horses if breast plates were abolished for horses in cavalry regiments.

THE SCIENCE AND ART DEPARTMENT.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the Vice President of the Committee of Council on Education whether any memorandum has been received from the scientific staff of the Science and Art Department, pointing out the injurious effects on scientific teaching which would follow the proposed allocation of ground at South Kensington for the purpose of an Art Gallery; and, if so, what action was taken on it?

*SIR W. HART DYKE: As I have already stated, some of the professors presented a memorial to the Lord President, who forwarded it to the Chancellor of the Exchequer.

PARCEL POST TO THE CANARY ISLANDS.

SIR J. SWINBURNE (Staffordshire, Lichfield): I beg to ask the Postmaster General whether he is now in a position to state what arrangements have been made with reference to the establishment of a Parcel Post to the Canary Islands?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): No, Sir. I have again communicated with the Spanish Post Office on the subject, but I have not yet received a reply.

PERTH GENERAL PRISON.

DR. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether his attention has been called to a statement in a recent number of the *Perthshire Courier* to the effect that the Scottish Prison Commissioners had made overtures to the Military Authorities for the conversion of the general prison at Perth into barracks; and whether any proposal for such a conversion has been made or is in contemplation?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): There is no foundation whatever for the statement referred to in the question.

THE SALVATION ARMY.

MR. JORDAN (Clare, W.): I beg to ask the Secretary of State for the Home Department if he is aware that five officers of the Salvation Army, one of them a woman, have been ordered by the Eastbourne Magistrates to pay £5 and costs or go to prison for a month, and are at present in prison rather than pay the fine; and whether he will inquire into the circumstances of the case, and consider whether a remission of the penalty might be granted?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the Clerk to the Justices that five members of the Salvation Army were convicted of an offence against the Eastbourne Improvement Act, 1885, which forbids processions on Sundays in the streets accompanied by instrumental music. They were sentenced to pay a fine of £5, to be recovered by distress, and in default of distress to be imprisoned for a month. Warrants of distress have been issued, but at present none of the defendants have been committed to prison. The defendants by their Counsel intimated their intention of continuing to defy the Act, and the Magistrates, having reason to believe that from the excited feeling in the town a serious breach of the peace would ensue were these processions continued, and having found by previous experience that the imposition of a nominal penalty had no deterrent effect, felt it their duty to impose the full penalty with costs. I can discover nothing in the circumstances which would justify me in interfering with the sentence.

MR. H. H. FOWLER (Wolverhampton, E.): Similar circumstances occurred some time ago at Torquay, when the Local Act was brought before this House, and this provision was repealed as being an improper one.

MR. MATTHEWS: I am aware of that fact. But in this case special legislation exists, and I am unable to interfere.

ARMY PENSIONS.

MR. MANFIELD (Northampton): I beg to ask the Secretary of State for War whether an increased pension can be awarded to James Ingham, of Northampton, late of the 2nd Battalion Rifle Brigade, who lost his leg on the 18th of June, 1855, and who for the last few years has been partially paralysed and unable to obtain a livelihood?

MR. E. STANHOPE: James Ingham, late of the 2nd Battalion Rifle Brigade, was awarded, in 1855, the highest pension which the then Warrant allowed for a man disabled in the Service, but able partially to earn a livelihood. If his present further disability can be attributed to his wound he should represent his case to the Commissioners of Chelsea Hospital.

EMPLOYMENT OF CHILDREN IN FACTORIES.

MR. MACLEAN: I beg to ask the Under Secretary of State for Foreign Affairs if he can inform the House what is the minimum age at which children in the countries represented at the Berlin Conference may be employed for hire in factories and workshops, and the number of hours per diem during which children of the minimum age may be so employed; and in which of these countries there is a staff of Factory Inspectors charged with the duty of enforcing the law as to hours of labour in industrial establishments?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): I have had a Memorandum prepared which will give the information desired by my hon. Friend. It is too long for an answer to a question, but I will place it in his hands, and if he desires to move for it as a Return there will be no objection to present it.

THE M'KINLEY TARIFF.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the Under Secretary of State for Foreign Affairs if it is a fact that, under the operation of the M'Kinley tariff, the United States have already succeeded in concluding Treaties of Commerce with Brazil and with Spain, securing preferential duties for American products in those markets; and what steps have been taken to secure similar advantages for British goods, or to prevent the trade of the United Kingdom being injured?

SIR J. FERGUSSON: A Treaty of Commerce under the M'Kinley tariff has been concluded between the United States and Brazil securing preferential duties for American products; and it is understood that a somewhat similar arrangement has been concluded between the United States and Spain, but the terms of the latter agreement have not yet been made public. Her Majesty's Government have not as yet succeeded in obtaining a Commercial Treaty with Brazil.

NAVAL ARTILLERY VOLUNTEERS.

MR. JOHNSTON (Belfast, S.): I beg to ask the First Lord of the Admiralty on what grounds is it proposed to transform the Naval Artillery Volunteers into Marine Artillery; and whether it is a fact that this is so strongly objected to by the members of the corps that the resignation of more than three-fourths of the members is likely to take place in consequence?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The reasons for the proposed change are fully stated in a Report by a very capable Committee, of which Vice Admiral Sir George Tryon was Chairman, which Report I have laid on the Table of the House. I have no information as to the allegation in the second part of the question.

REMISSION OF SENTENCE.

MR. MORTON (Peterborough): I beg to ask the Secretary of State for the Home Department whether he has made inquiry into the circumstances of the case of Wallinger, who was sentenced at the Bedford Division Police Court on the 20th ultimo to three months' hard labour for stealing four mangold wurtzels, value 3d.; and whether he can now advise some diminution of the sentence?

MR. MATTHEWS: Yes, Sir; I have inquried into this case, and after a careful consideration of all the circumstances, have felt justified in advising the remission of two months of the sentence.

MR. MORTON: As it is admitted that this was an excessive sentence, may I ask what the right hon. Gentleman has to say of the conduct of the Magistrates who awarded it?

MR. WINTERBOTHAM (Gloucester, Cirencester): May I ask whether this was a first offence?

MR. MATTHEWS: No, Sir; it was not a first offence. This man had been convicted before, and sentenced to three months' imprisonment. My remission is by no means to imply the slightest censure upon the Magistrates.

EPPING FOREST.

MR. MORTON: I beg to ask the Attorney General whether the Conservators of Epping Forest have any right to give the following notice:—

"To prevent unnecessary claims being sent in, the Conservators give notice that they will not consider any person entitled to a right of common who owns or occupies less than half an acre of old enclosure not covered with buildings;"

and whether the small commoners, who may be deprived of their ancient rights confirmed by the Act of 1878, can appeal against the decisions or refusal of the Conservators to consider their claims; and, if so, to whom, or what Court?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): The right of the Conservators to give the notice mentioned in the first paragraph of the question depends upon matters of fact upon which I have no information. If any commoners are deprived of their rights, I know of no reason why they should not raise the question as to the jurisdiction of the Conservators in the Courts at law. I am informed that the advice of the highest legal authorities has been taken upon the commoners' behalf.

POOR LAW RELIEF.

MR. HOWARD VINCENT: I beg to ask the First Lord of the Trea-

sury if, in view of the fact recently ascertained upon official authority that one in every seven of the old people above 60 years of age in the United Kingdom is dependent for support on Poor Law relief, and that this proportion is increased to about one in three of those over 75 years of age, Her Majesty's Government will recommend the issue of a Royal Commission to examine the various suggestions made for remedying such a state of affairs; and to consider, in concert with the leaders of Friendly Societies, the best means of securing to the industrial population the assistance of a well-secured pension in their old age.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Her Majesty's Government fully recognise the importance of the question. The subject has engaged the attention of many Members of Parliament; but, under all the circumstances of the case, the Government do not consider that it has yet arrived at a point at which it would be desirable to nominate a Royal Commission to inquire into it.

COLONIAL APPEALS.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to ask the First Lord of the Treasury whether, in view of the importance of the appeals which are brought from the Colonies to the Privy Council, Her Majesty's Government will favourably consider the expediency of placing upon the Judicial Committee of the Privy Council some members who have held the office of Judge in the Colonies, as contemplated by 3 and 4 Will. 4, c. 41, s. 30?

*MR. W. H. SMITH: The question is one that has for some time past been under the consideration of the Government, who have been favourably disposed towards it. We entertain the hope that we may be able to avail ourselves of the services of some representatives of the Colonies on the Judicial Committee.

CHILD LABOUR.

MR. SUMMERS: I beg to ask the First Lord of the Treasury whether his attention has been called to a resolution recently passed at a meeting of the Parliamentary Committee of the Trade Unions Congress, expressing strong disapproval of the action of the Government in departing from the recommendations of the Berlin Conference on the subject of child labour; and whether the Government will take this resolution into their serious consideration before the Report of the Factory and Workshops Bill is reached?

MR. TOMLINSON (Preston): I wish to ask whether the persons engaged in the textile industries, in which the half-time system prevails, are not unanimously opposed to the recommendations of the Berlin Conference on the question of child labour and half-time?

MR. MACLEAN: May I also ask whether the right hon. Gentleman is aware that there is no representative on the Parliamentary Committee of the Trade Union Congress of the textile industries in which half-time prevails?

*MR. W. H. SMITH: I am not aware, but if the fact be as stated the Resolution referred to would not possess the weight that it otherwise would. In answer to the question on the Paper, I have not received any copy of the Resolution to which the hon. Member refers, nor have I seen it reported in the newspapers. I believe it is the fact, as the hon. Member for Preston represents, that the persons engaged in certain trades chiefly affected are opposed to the recommendations of the Berlin Conference.

MR. SUMMERS: Did not Sir John Gorst write to Lord Salisbury stating that all the British delegates and experts at Berlin, including Mr. Birtwhistle, Secretary to the United Weavers' Association; Mr. Burnett, Labour Correspondent of the Board of Trade; Mr. Whimper, one of the superintending Inspectors of Factories; and the hon. Member for Morpeth (Mr. Burt), were in favour of raising the age of child labour from 10 to 12?

*MR. W. H. SMITH: I must ask for notice of a question such as that, which involves matters of detail.

MR. SUMMERS: There is a quotation to that effect in the Blue Book.

MR. CUNINGHAME GRAHAM (Lanark, N.W.) put a further question as to the composition of the Parliamentary Committee of the Trade Union Congress.

*MR. W. H. SMITH: I cannot help pointing out that it is most inconvenient that a Minister should be asked ques-

tions in regard to matters of fact without notice.

MR. CUNINGHAME GRAHAM: I beg to apologise for not having given notice, but I was only following the example set by one of the right hon. Gentleman's own followers on this very point.

PUBLIC HEALTH (METROPOLIS) BILL.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the First Lord of the Treasury if he can state when the Report stage of the Public Health (Metropolis) Bill will be taken?

*MR. W. H. SMITH: It is impossible in the present state of public business to do so.

TREATMENT OF IRISH PRISONERS.

MR. FLYNN (Cork, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will explain the reason why Jonathan Tanner, who was sentenced to six months' imprisonment at last Winter Assizes at Nenagh for the manslaughter of Cornelius Crowley, at Ballineen, County Cork, on 13th November, 1890, was released from prison on 13th April, five weeks before the term expired, whereas John Shorten, sentenced to the same term for the same crime, has served the full term?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The power of shortening a sentence is one which rests exclusively with the Lord Lieutenant.

DR. TANNER (Cork Co., Mid): Is it true that one of these men is a well to do Protestant, while the other is a poor Roman Catholic?

MR. A. J. BALFOUR: I have no knowledge.

DR. R. BIRD, J.P.

MR. GILHOOLY (Cork, W.): I beg to ask the Attorney General for Ireland whether his attention has been called to the case of "Wilkinson *v.* Manning," tried at the Bantry Petty Sessions on the 2nd February last, in which Dr. R. Bird, J.P., issued a precept to restrain waste against James Manning, a tenant of Mrs. Wilkinson, to whom Dr. Bird's brother, Mr. William S. Bird, J.P., is the land agent; whether he is aware that Dr. Bird afterwards formed one of the Bench who heard the case, and that Mr. William S. Bird took the affidavit on which the precept was granted; though, at the hearing of the case, he admitted he was himself interested in it as the land agent to the plaintiff; and whether he will call the attention of the Lord Chancellor to the action of Dr. R. Bird, J.P., in using the precept, he not having himself taken the affidavit; and, also, to the conduct of Mr. William S. Bird in taking an affidavit where he was himself the land agent?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The facts, I am informed, are as stated in the first two paragraphs of the question. Mr. W. S. Bird, however, appears to have explained that he had acted solely as a Commissioner for taking affidavits. The precept was not confirmed, as the Bench held that the affidavit should have been sworn before the Magistrate. I am not aware of anything in the case calling for the attention of the Lord Chancellor of Ireland.

MR. GILHOOLY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the case of "White *v.* Sullivan," tried at the Bantry Petty Sessions a few months ago, in which the Magistrate who adjudicated was Dr. R. Bird; whether he is aware that William S. Bird, J.P., the principal witness in the case, is brother to the Magistrate who presided, and land agent on the White property; whether the defendant, Mary Sullivan, was fined 10s., and £1 costs given against her; whether he is aware that Mr. William S. Bird, in a few days after the hearing of the case, went and levelled the house of Mary Sullivan; and whether the attention of the Lord Chancellor will be called to the action of Dr. R. Bird in adjudicating in the case, he being brother to the virtual plaintiff?

MR. A. J. BALFOUR: The facts appear to be as stated in the first three paragraphs of the question. The statement in the fourth paragraph appears to be incorrect. The house is represented to be still intact. The adjudicating Magistrate does not seem to have any interest whatever in the White property, and the facts of the case, I am advised, do not call for the attention of the Lord Chancellor of Ireland.

POSTAL ARRANGEMENTS IN COUNTY LEITRIM.

MR. CONWAY (Leitrim, N.): I beg to ask the Postmaster General whether he is aware that residents in Drumshambo, County Leitrim, suffer great loss and inconvenience by reason of not having a mid-day delivery of letters, particularly of letters from Belfast and the northern district; whether letters received in Carrick-on-Shannon by the mid-day post, and addressed to Drumshambo, are held over until next day; and whether he will consider the feasibility of making arrangements with the Cavan, Leitrim, and Roscommon Light Railway and Tramway Company, Limited, which has business connections with the Great Northern Railway at Belturbet, the Midland and Great Western Railway at Dromod, and with a branch from Ballinamore to Drumshambo, with a view to the carriage of the local mail bags, and the prompt delivery of letters?

*MR. RAIKES: My attention has been called to this matter, and inquiry is now being made with the view, if possible, of providing for a day mail service to Drumshambo. I will let the hon. Member know the decision without delay.

STATUE OF THOMAS DAVIS.

MR. PIERCE MAHONY (Meath, N.): I beg to ask the Secretary to the Treasury whether he has succeeded in obtaining the statue of the late Thomas Davis for the Science and Art Museum in Dublin; and, if not, whether he will take further steps to obtain it?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): When the hon. Member put a question on this subject some time ago I understood that the statue was to be a voluntary gift. I now understand that that is not so, and that the statue, if obtained at all, must be purchased.

IRISH BILLS.

MR. SEXTON (Belfast, W.): I beg to ask the Secretary to the Treasury what is the cause of the prolonged delay in circulating the Loans to Schools and Training Colleges (Ireland) Bill, introduced on the 8th of April, and set down for Second Reading on Monday last? I wish also to ask what course is proposed to be taken in regard to the Hospitals Bill?

MR. JACKSON: I can only promise the hon. Member to renew my efforts in regard to the Hospitals Bill. In regard to the question upon the Paper, I may say that there has been considerable discussion as to how best to carry out the undertaking of my right hon. Friend the Chief Secretary for Ireland to the Denominational Training Colleges, and, therefore, in settling the exact terms of the Bill which he has introduced. The matter has now, however, been definitely settled, and I hope the Bill will be circulated in a few days.

NATIONAL EDUCATION IN IRELAND.

MR. M. HEALY (Cork): I beg to ask the Secretary to the Treasury whether Sir Patrick Kerran has frequently represented to the Treasury the injustice of the rule of the Irish Board of National Education, by which ordinary assistant teachers are paid the same, no matter to what class they belong, though assistant teachers in model schools and training schools are paid according to class; and whether the Treasury will enable the rule to be modified so as to treat ordinary assistant teachers on the same footing as those in model schools and training schools, and thus give them some incentive to rise to a higher class?

*MR. JACKSON: There have been proposals from the Commissioners of National Education respecting the payments to be made to certain assistant teachers, but the proposals are not such as the hon. Member indicates. The consideration of the proposals of the Commissioners for improving the position of certain of the assistant teachers has been deferred till the Estimates for the next financial year are under consideration, but without prejudice to the merits of the case.

MR. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it was the intention of the Board of Intermediate Education in Ireland, in framing their new rules, to restrict the benefits of intermediate education to students intended for Universities; and whether they intend to modify their rules, so as to meet the complaints which have been made, that their new curriculum, owing to its

largely literary and classical character, tends to seriously injure commercial schools? I beg also to ask the right hon. Gentleman whether the attention of the Board of Intermediate Education in Ireland has been called to the general complaints which have been made as to the tendency of their new rules to restrict the benefits of intermediate education to students of the better class who obtain a classical education at Board schools to the prejudice of the poorer class of students who by the operation of the system as previously administered were enabled to obtain a good commercial education in the various day schools which sent forward pupils for examination; and whether they will re-consider their recent rules, so as to secure that the public moneys which they administer will benefit the poorer class of students who most need education assisted by the State?

MR. A. J. BALFOUR: The Board do not feel at liberty to make any public announcement at present of their proposals.

IRISH FISHERIES.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is a fact that the Inspectors of Irish Fisheries have given their opinion that herring fishing on the Southern and South-western Coast of Ireland commences at too early a date, and that it ought not to be permitted prior to the 1st of June; whether they have stated that the fishing for herrings before this date results in great destruction of immature mackerel and hake, and that, as a consequence, there is a considerable decline in the mackerel and herring fisheries on these coasts; and whether, in view of the fact that the Government have recently promoted a Bill for the protection of the taking of seals in Behring's Sea, they will now take measures to prevent the extinction of a reproductive Irish fishery?

MR. A. J. BALFOUR: The Inspectors of Irish Fisheries have made representations on the subject of the destruction of immature mackerel, and the matter is at present engaging the careful attention of the Government.

DR. TANNER: Will the right hon. Gentleman take further advice, and see whether something cannot be done? The Inspectors have declared that the question is urgent.

MR. A. J. BALFOUR: It is quite possible that the Inspectors have said the question is urgent, and I do not understand that there is any difference of opinion as to the damage done. The difficulty is how the damage is to be prevented.

TYPHOID FEVER IN CLONMEL GAOL.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is true that typhoid fever has broken out among the prisoners in Clonmel Gaol; and, if so, how many are at present affected; and whether the disease occurred in connection with the transference of prisoners from Tullamore to Clonmel, and in what portion of the prison have these cases of fever been treated, by what medical advice these prisoners were transferred, and for what reason was Clonmel selected?

MR. A. J. BALFOUR: The General Prisons Board report that there are three cases of typhoid fever in Clonmel Prison. They are prisoners who had been transferred from Tullamore. The cases have been treated in the prison hospital, which from the time of the recent transfers from Tullamore has been set apart exclusively for any such case. The transfers were made on the recommendation of the Prisons Board, including its medical member. Clonmel Prison was selected on the ground of convenience and general suitability, possessing a separate prison block not at the time in use where the transferred prisoners could be kept isolated from the rest.

DR. TANNER: Is it not the fact that the prison is situated in the midst of the town of Clonmel, with a thick population just outside the prison walls, and that typhoid fever has been brought there in consequence of the introduction of prisoners from Tullamore?

MR. A. J. BALFOUR: I have no information.

DR. TANNER: Then I will put the question again.

THE OMNIBUS STRIKE.

DR. TANNER: I beg to ask the Home Secretary whether any steps will be immediately taken by the Home Office to mediate in the present omnibus

strike in London, with the object of terminating the present public inconvenience and gaining for the overworked and ill-paid omnibus *employés* their just demands for a 12 hours day?

MR. CUNINGHAME GRAHAM: Is it true that armed policemen are accompanying the pirate omnibuses; and, if so, by whose authority?

MR. MATTHEWS: The Home Office cannot undertake to mediate between employers and employed in a trade dispute such as now exists in relation to the omnibus traffic of London. The duty of the Home Office is to preserve order and prevent breaches of the law by either side. Any interference with the merits of the dispute itself would probably do more harm than good. With regard to the question of the hon. Member for Lanarkshire, I am not aware that the police have accompanied any omnibuses, but they will, of course, afford such protection as is required.

MR. PICTON (Leicester): May I ask whether the police have made, or are about to make, any alterations in the regulations relating to the licences and badges of omnibus drivers and conductors?

MR. MATTHEWS: I must ask that the question be put down on the Notice Paper.

THE EDUCATION BILL.

MR. CAUSTON (Southwark, W.): I beg to ask the First Lord of the Treasury when, in the event of the Resolution relating to Free Education being passed this evening, the Bill founded upon it will be introduced?

*MR. W. H. SMITH: The Resolution must be reported to the House before the Bill can be introduced. It will then be circulated at once.

MR. CAUSTON: When will the Report be made?

*MR. W. H. SMITH: To-morrow, I hope.

PUBLIC INCOME AND EXPENDITURE.

Return ordered—

"Of Public Income and Expenditure for 15 years ended the 31st day of March, 1891 (in continuation of Parliamentary Paper, No. 385, of Session 1890)."—(*Mr. Henry H. Fowler.*)

NEW MEMBER SWORN.

Victor Christian William Cavendish, esquire, for the County of Derby (Western Division).

EAST INDIA (MANIPUR SUCCESSION).

Address for—

"Return of Correspondence relating to the Succession to the Throne of Manipur after the death of Rajah Chandra Kirti Sinh in 1885." (*Mr. Maclean.*)

CORK (COUNTY AND CITY) COURT HOUSES BILL.

Mr. Fitzgerald, Mr. Maurice Healy, Mr. Parnell, and Colonel Waring nominated Members of the Select Committee on the Cork (County and City) Court Houses Bill, with Three Members to be added by the Committee of Selection.—(*Mr. Akers Douglas.*)

ORDERS OF THE DAY.

ELEMENTARY EDUCATION [FEE GRANT].

Considered in Committee.

(In the Committee.)

*(4.5.) THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): In moving a Resolution which I shall not submit to the House until the conclusion of the remarks which I have to make, it will be my duty to place before the Committee as succinctly and clearly as I can the proposals of the Government for relieving parents from the payment of fees in elementary schools. We have now existing in this country a system of elementary education which is the growth of many years, and which, although perhaps not essentially perfect in itself, or such as to satisfy all notions of educational opinion, yet is doing a vast amount of good. Vast and essential changes have been wrought in the last few years in this system—changes made with the assent of all parties. We have freed our schools from many restrictions which fettered and bound them, and which were injurious, at all events, in this respect—that the taxpayer did not receive the proper return for the money expended by him. Not only has a great advance been made in connection with technical education, which is now an accomplished fact, but we have cast aside the ancient system under which

brain and book work was alone tolerated. We have recognised, tardily, it may be, a better and wider application of our educational system, in accordance with which other faculties besides the brain can be cultivated with great resulting benefit to the industrial population, and so to the community at large. Having made these considerable changes, we are all deeply anxious, whatever our individual opinions may be on some points, that these new operations should be brought fully and fairly to the test of time and experience. A grave responsibility rests upon any Government undertaking any such change as we now propose, for it is a matter of primary importance that the change, whatever it be, should disturb the existing educational state of things as little as possible. At the same time, I admit that the change should be real and thorough in its application, and that the proposals should be, as far as human foresight can devise, such as will distribute the grant which we propose equally and fairly between the two descriptions of schools, namely, the Board schools and the voluntary schools of this country. I am fully aware that the position in which I stand is not altogether one of extreme comfort. I allude to this, that it is almost impossible for a man standing in my position to deal with this subject without raking up the ashes of some long-smouldering controversies. Hon. Members, I hope, know me well enough to admit that I would not be so foolish as to introduce one jot or tittle of controversial matter into this Debate. It would be foolish to do so, and would only injure my own case. We are anxious to have, at all events, a peaceful beginning to our proceedings in relation to the forthcoming measure. But the relative positions of Board schools and voluntary schools have recently been the subject of much debate and comment, and I have no doubt that we shall hear much more of the subject in the Debates about to begin. I cannot help noticing that during the past few weeks or months some hon. Members opposite have taken almost a paternal interest in the internal and pecuniary affairs of voluntary schools. Perhaps some of these hon. Members may arrive at such a pitch of enthusiasm that they will themselves offer me a subscription on behalf of these voluntary institutions. During the past two months, at all events, various questions have appeared upon the Notice Paper of this House, like so many stormy petrels, portending, perhaps, an early falling of the political barometer. Most of these questions have dealt with one point, namely, the financial position of the voluntary schools of this country. It is certainly the duty of any Education Minister to acknowledge what the promoters of these voluntary schools have done in the past. When the educational outlook was at its gloomiest and darkest the promoters of this great voluntary system were the pioneers of elementary education. Hon. Members are aware that through the medium of this voluntary system vast sums have been expended in the cause of education. It would be wrong indeed not to recognise that if by the action of this or any other Parliament we were wantonly to break up this voluntary system we should have to face this great inconvenience—that not only would a vast sum of money devoted to a great public object be cast to the winds, but that a very large sum would have to be supplied to replace it. Let me quote a few figures showing what was spent under this voluntary system up to the date in 1882 when the building grants ceased. The sum spent under this pioneer system of education on buildings, teachers' residences, &c., was £14,136,000, a capital which at 4 per cent. would yield an income of £562,000, or, in other words, a subsidy of 5s. a year for every scholar in average attendance in voluntary schools. Having explained this, I should now like to say a word respecting the liability of parents to pay the fee in elementary schools. From the earliest days it has been found that whatever efforts might be made on the part of the parents, such efforts must be largely supplemented, and at the earliest stage the fee paid by the parents was supplemented, not only by endowment, but by voluntary efforts and contributions and by State grants. Then came the great Act of Mr. Forster in 1870, which created something like a revolution in our elementary schools. For the first time under that Act the system of compulsory attendance was adopted, and this compulsory system was confirmed and enforced by succeeding Acts. From 1870 to this date

parents among our working classes had this twofold strain placed upon their resources: in the first place, the payment of fees; and, secondly, in many instances, the compulsory loss of the earnings of the labour of their children. Since that date parents had no longer any right to refuse to send their children to school because they could not pay the fees, and managers were not always obliged to consider the circumstances of the parents when fixing the fees. The result is that there have been vast differences in the amount of fees. In many cases parents pay only a halfpenny a week, in others they pay 3d. or 4d., or even more. Now, what are the reasons to be urged for the change we propose? Here, at all events, I am aware that, with regard to the relief of parents from the payment of fees, I shall be told in various forms that I have changed my mind, and that I am promoting to-day a policy to which I have been previously adverse. I am not inclined to waste much time with regard to this matter. I am aware that these are accusations which are invariably made by hon. Members who conduct mining operations in *Hansard*, and endeavour to discover how often they can introduce *tu quoque* arguments. The fact is we have changed our minds; and, so far as I am concerned, I shall never be ashamed—having gone most minutely into this question for some five years—that I have changed my mind. As for these *tu quoques*, to my mind they have become one of the nuisances of the day, and I should like to see them fumigated by my right hon. Friend the First Commissioner of Works. There are obvious reasons for the proposals we make. In the first place—I know it is not universally held, but it has been held for many years by those who advocate this change, that immediately you bring the pressure of compulsion to bear on the parents and that the State has to enforce on them the loss of the earnings of their children's labour, it is only fair that the State should assist the parent in carrying out the compulsory process. There is one other reason which strikes me, and which I believe is of the utmost importance—I allude to the difficulty of enforcing attendance in our schools. It is notorious that in all our towns one of the great difficulties in enforcing attendance in our schools is the payment of fees. It is useless to deny the fact. Any Member who would consult those who are longest engaged in educational efforts will hear of the enormous difficulty of discriminating where compulsion should be brought to bear and where the parents are really suffering the poverty which they plead. And here there is another point to be considered, and that is the question of time. One of the oldest sayings in this country is that time is money. I venture to urge that most of the time spent by school managers and teachers in applying compulsion to the collection of school fees is an enormous loss. This loss is an important point, and is the cause of grave dissatisfaction. But that is not the only loss. The unfortunate parents of non-pauper children who are not able to pay fees have constantly to lose a whole day's work hanging round the precincts of the union, and have to put in the plea for remission *in formâ pauperis*. To the great mass of the working classes this is very hateful, and, besides, it is a complete drag upon the efficiency of our educational system. It is true enough that School Boards have power to remit those fees, but all hon. Members of any experience must be aware that the difficulty of discriminating cases where payment should be made and the contrary is very great, and here also the question of time enters into the consideration. On these points I shall not dwell longer, but will at once place before the House the proposals we have to make. Her Majesty's Government, taking into consideration the various details which should be connected with such a scheme, have arrived at the decision to which they have come by an exhaustive process. We have endeavoured to try all possible methods before we have arrived at the conclusion which I have now to announce. Our proposal is to relieve parents from the payment of fees in elementary schools. One of the first things which suggested itself was whether we should differentiate the fees or not — that is, whether we should pay all the fees, whether high or low. We found, however, many difficulties and disadvantages in such a course. I will mention one of the difficulties which must be patent to the

mind of every practical man. We found the difference of fees so great that it would be impossible to maintain a system whereby one man received 3s. 4d. and another 6s. 8d. Therefore, we came to the conclusion that the only possible plan would be to give a fee of 10s. per head for each scholar in the elementary schools. It has been calculated that this will be nearly equivalent to a 3d. fee. I am not sure that in every school that would be found to be the fact, but approximately it would be so. We propose that every school where on a given date—say the 1st of January, 1891—the fee did not exceed the sum of 10s. per head per child should be a free school.

*Sir L. PLAYFAIR (Leeds, S.): Absolutely?

*Sir W. HART DYKE: Yes. My right hon. Friend will observe that I say in a school where the fee did not exceed the 10s. grant. By this calculation we assume that something averaging two-thirds of the elementary schools in England and Wales will become free schools. But that, we believe, will not be *pro ratâ* the number of scholars relieved. Now I come to the limitation with regard to this grant. We have had some experience with respect to what has been called the standard of limitation. We have had only a slight experience—the experience of Scotland — to guide us. I have endeavoured to get information on this with regard to Scotland. It has been difficult to get any very conclusive information on the point as yet, but I believe that in many schools the effect of freeing the early standards has been to increase the attendance. As regards the restriction on the upper standards, Her Majesty's Government have no information either to guide or encourage them to make any such distinction. So far as I am concerned, I have always had a strong objection to what is called standard limitation in regard to these schools. To my mind it is opposed not only to all the experience of the past, but, what is a stronger point, it is most strongly opposed to modern educational policy. We find that the chief danger attending the school life of the present day is this—that as our school machinery improves, so our children pass so quickly out of the standards at an early age, and we find that there is a gap between the age at which they leave school and the chance they have of getting work. We consider that to be most hazardous as regards the future life of the child Beyond that, however, there is the common sense objection to such a course. By placing this limitation on the standard before the eyes of a parent ambitious for the future of his child and anxious to retain him longer in school life, you are placing a fine on him at the very moment when he is making a noble effort for the future success of the child, and to make him the best possible specimen of a British citizen. There is another suggestion which has been made from a high educational source—that we should not have any limit as regards the higher standards, but that fees should be charged in the earlier standards of school life. I think such a proposal goes to the very root of our Bill. We are all aware that one of the main social difficulties we have to deal with, not only in the Metropolis, but in our large towns, is that connected with improvident early marriages. We know the destitution and misery thus created, and one of the first difficulties connected with this state of things is the attendance of the unfortunate little children at school. Here we should be bringing pressure to bear on the poorest of our population, and we should still leave the difficulty of dealing with the pauper children if we placed this compulsory condition on the early standards. We have come to the conclusion, therefore, that on the whole it would be far the best course to adopt to have no standard limitation whatever. But we do propose a limitation in our Bill to this effect—that the grant is to be payable only on behalf of those children of compulsory school age, between the ages of five and 14 years. We do so for this reason. The whole basis of our proposals is that the introduction of this compulsory power should call for some relief to the parent, and we say that this grant should be restricted to that portion of our population where the compelling power is operative. There is another strong reason. A vast number of those young children below five years of age are sent to the school by the parent as a distinct relief to the

parent. It is well known that by sending those little children to school at this early age the parents obtain a good deal of relief at home; they take in work, and attend to their household duties in a manner which would be impossible otherwise. We also propose, in regard to those younger children, to secure by a provision that in no case shall the fee charged exceed 2d. per child. This will make a difference of something like £175,000 in regard to the proposals which we are making. The number of infants on the books under five years is 470,000, the average attendance is 350,000. I now come to one of the most important points in our proposals—the application of this grant to the schools, and how far it should be applied Should we be content to leave each school the choice of refusing this grant or of accepting it, and if they do come under our proposal or elect to refuse the grant, should they proceed on the same basis as they are now doing? I am opening up a subject which Her Majesty's Government consider to be most important as regards the future of our elementary system in this country. We have at this moment every variety of elementary school, and that variety extends largely to the payment of fees. We have fees as high as 9d., and descending in every possible sum down to the free limit. Her Majesty's Government believe that the maintenance of this varied, this elastic system, is of vital importance and moment to the future education of our children. It is true that under our proposals a vast number of parents will be freed from the obligation of paying fees, but we believe it to be of lasting importance to secure within this limit some elastic system such as exists now, rising by degrees up to the highest grade of schools in the country. I do not stand alone on this side of the House in pleading for some such system as this. A speech was delivered at the beginning of the Session by the hon. Member for Flintshire with reference to this question. In it the hon. Member pleaded most strongly for this varied and elastic character in our schools. He said—

"It will be necessary, if we have free education, to have some kind of classification of children. Already it is felt to be a great grievance among the better portion of our working classes that their children have to associate with those of the most degraded classes. It is complained that, however carefully the children are brought up at home, they have to associate at school with the children of thieves, and contamination spreads through all classes."

I do not say that I go so far as this, but I do say that in this country, if we reduce the whole of our elementary system to one dead level, its decadence from that very moment will begin. I should like to call attention to the experience of other countries with regard to free schools. I have here a Report which has been presented to me by Mr. Fitch, one of our head Inspectors of schools, as to what has been the result of a uniform system of free schools in other countries. It is shown that in America, at all events, one of the first results of this universal system has been the establishment of a vast number of private-adventure schools, in which, in proportion to the increase of population, the number of enrolments was larger than in the public schools. This has not been brought about solely by the social reasons indicated by the hon. Member for Flintshire, but largely on religious grounds. I shall avoid introducing a topic so fruitful of controversy as that of the religious question in our schools; but, at all events, I may urge that there is great danger where you establish one dead level of free schools that a secular system will follow such a result. Mr. Fitch, in his Report, quotes the case of France, and points out that during four years the proportion of privately-educated scholars has increased materially, while the increase in the number of scholars in public schools has been insignificant; in private schools the total increase in 1888 was 60,799; in public schools it was only 7,891. One other sentence I will read—

"In France, out of 5,544,000 scholars enrolled in the primary schools, no less than 1,160,477, or more than one-fifth, are in private and denominational schools."

I quote this experience of other countries, because I think that we ought to pause before we run any risk by the establishment of one dead level in our elementary system. The first consideration that arises is, Ought we to allow managers of schools either to take or to leave this grant, or ought we to extend the grant to all schools? I have

had some very strong representations from all parts of the country in regard to this question. One of the strongest representations I have received has been from a leading representative of Wesleyan schools. He stated, without the least reserve, that, under the system whereby all schools were compelled to take or to leave this grant, the Wesleyan schools would be utterly destroyed and obliterated from our educational system.

MR. ILLINGWORTH (Bradford, W.): Will the right hon. Gentleman give the name of his correspondent?

*SIR W. HART DYKE: I think I had better proceed with my remarks. I have no doubt that the name will come out, and the hon. Gentleman must see that he is pressing me unfairly. Her Majesty's Government have come to this conclusion: that the only method by which we can secure the existing state of things, recognising the huge gap which would exist in the position of some of those higher grade schools if we were to adopt the course which I have indicated —we have come to the conclusion that the only measure of security is to allow any school to receive this fee grant of 10s., and to allow a school where fees are charged above the fee grant still to receive the grant, and to receive the balance of fees as well. Of course, in every case this must be a balance of fees received at a certain date before this announcement has been made, and, of course, provision will be made that in no possible case, on the receipt of this fee, shall the fees of the school be raised above the fees charged at a certain date previous to the introduction of this measure. Here it may be noticed that, in regard to the question of guarding against the raising of fees, it was one of the first obligations laid upon the Education Department by the Act of 1870. The definition of an elementary school in this country is a school at which the fee does not exceed 9d.; and therefore we believe that there will be no difficulty whatever, so far as safeguarding the public funds are concerned, in submitting this plan to the direction of the Education Department.

*SIR L. PLAYFAIR: Is the balance to be received from the school fees?

*SIR W. HART DYKE: Yes; it will work in this way—the 3d. school would become a 2d. fee school. The advantage of this is very obvious. There will no doubt be free schools in most districts. In some districts to-day there are low-fee, high-fee, and free schools, and by this proposal we shall be maintaining as near as possible all classes of schools in the position in which they now stand. Where the demand exists there will be free schools, or free places in certain schools. There will also be a gradation of fees as at present. Hon. Members will have seen that we do propose to make some provision for the supply of free school accommodation, and therefore we propose that free places in a school or a free school shall be provided in any locality where such accommodation is demanded. The same machinery which now exists for the supply of ordinary school accommodation will be applicable to this free school accommodation. During certain periods to be named in the Bill, managers of Board and voluntary schools will have opportunity afforded them of making such arrangement as may be necessary for the provision of free school accommodation. It is perfectly obvious that in those schools above the level of the free-school line a process such as this must be a gradual process. How far it would be applied in one locality and neglected in another, will be regulated by the question of supply and demand in each locality. Having gone with considerable minuteness into this matter, I believe that there will be no difficulty in carrying out the system I propose. Amongst the voluntary and higher grade schools in any town or locality there will be no difficulty, by some system of co-operation between them, to give the free places that may be demanded, while still maintaining existing schools substantially as they now are. I am aware that I have been treading on somewhat thorny ground, but I am grateful for the good-natured attention with which I have been listened to. I have only one or two other matters to refer to before I sit down. Some very natural anxiety has been evinced, with regard to the payment of this fee grant, as to when it shall be paid. The anxiety is natural, because if the payment were to be deferred until the end of the school year it would seriously embarrass the school account. Therefore, we propose that it shall be paid every three months. With regard to the calculation of the

expenditure involved, the Committee has already had the information placed thoroughly at its disposal by the Chancellor of the Exchequer as far as concerns the sources from which it is to come, and I have only further to add that we have made the most careful calculations as regards the amount of the expenditure involved, and I believe that the sum which will be required by the scheme which I have detailed to the Committee will be rather under than over the sum indicated by my right hon. Friend. I will conclude by placing before the Committee a slight summary of our position. We propose to offer to every school 10s. on the average attendance of all its children between five and 14 years of age. As regards such children, schools will become wholly free or will continue to charge a fee reduced by the amount of the grant, according as the amount of fees at present charged in them does, or does not, exceed the sum of 10s. When a school has become free it will remain free, or where a fee is charged it will remain unaltered, unless a change is required for the educational benefit of the locality. We propose to require that wherever it is necessary public school accommodation shall be provided without payment of any fee, but in order that this may be provided with a minimum of friction, we propose to take no steps for its compulsory supply for a period from the commencement of the Act. This term of grace will enable school districts to make their arrangements for the provision of free accommodation where necessary. These are the proposals which I have had the honour to lay before the Committee. For myself I do hope and believe that the result of them will prove a great boon to the masses of this country, while they will maintain to the very utmost our present efficient system of elementary education, and will promote generally our educational system throughout the country. I beg to move the formal Resolution.

Motion made, and Question proposed,

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of a Fee Grant in aid of the cost of Elementary Education in England and Wales, and to make further provision with regard to Education in Public Elementary Schools."—(*Sir W. Hart Dyke.*)

(4.57.) MR. A. H. DYKE ACLAND (York, W.R., Rotherham): There was one very remarkable fact in relation to the right hon. Gentleman's speech. The right hon. Gentleman has hardly said anything of what was to be done in the way of educational improvement in return for this gigantic gift to the parents. Neither has the right hon. Gentleman said anything about improved organisation of education in the country districts, or about the parents being compelled to keep their children at school a little longer. The right hon. Gentleman, moreover, has not stated whether the schools under the 10s. fee, which will receive large endowments, are to be asked to extend their educational machinery. In the case of schools in rural parishes, where perhaps the total fees come to £25, are the managers of such schools to receive a clear gift of £50 beyond the amount of the fees, and to be asked for no improvement in the efficiency of the schools? Will the grant simply go to wipe out so much of the voluntary subscriptions? If that is the case throughout the rural schools in England and Wales, I think it will not give satisfaction. I hope that when the large sum now proposed is given to the penny fee schools it will be used to improve their efficiency, and not merely to relieve the subscribers. I see no ground for this whatever, and I hope that when we have the Bill in our hands we shall find that provision is made for giving the benefit to the children in improved schools. There are some schools in which such a grant will wipe out the whole of the voluntary subscriptions, and give the managers something in their pockets. When we are giving £2,000,000 at one blow—the largest sum ever given in this country to education—we ought to see that it is given in the interest of increased educational efficiency. Then there is the question of the age of the children for leaving school—a question which is being raised this Session in connection with half-timers. If there ever was an opportunity of bringing up the English standard to something near the Continental standard we have it now, and if it is lost we may never have such an opportunity again. What are we saying to the parents? Why, we are saying this, "All of you who are

sending your children to voluntary schools, no matter how well you can afford to do so, shall receive 10s. a year;" and whilst we are saying that, surely we may say to the Boards of Guardians, and those other authorities who maintain such wretchedly low standards of education and attendance, "You must in view of this great boon to the parents keep the children a little longer at school." But not one word on that subject have we heard from the right hon. Gentleman. I venture to prophesy that the proposed system for keeping the high-fee schools going by allowing a school with a 5d. fee to charge 2d. will not last very long. What are these high-feed schools (which are mainly in our great towns) which we are going to protect and preserve? They have high fees because they have very small voluntary subscriptions, and the Government want to preserve this state of things in spite of the recommendations of true educationists like the Bishop of London, who said, and rightly said, on the Commission—

"Where you give a Government grant to a voluntary school let there be an adequate *quid pro quo* to keep up the voluntary system."

If this Parliamentary grant were to be given with the object of making the schools really well endowed and adequately equipped, there would be some argument for it, but there are some town schools where the voluntary subscriptions are far lower than in the case of the poor country schools. Such schools, I maintain, do not deserve a privilege of this kind, and should not be allowed to go in with the others and sweep away the Vote. There are many voluntary schools in our towns where 4d. and 5d. fees are charged, where neither on the ground of the position of the parents, nor for any other reason should such charges be made—where the parents are as poor as those in districts were only 1d. fee is charged. I think there will be a claim for more equal treatment in this matter when the question comes to be looked into. But while these are grave matters for criticism, I think we are all glad to know that with the exception of children below five years of age there is no check to children going as high as they can. We are glad that the lesson which has been learned in Scotland has been really learned here, and that perhaps the fees will be relieved right up to the top of the school. We have not heard a word as to control going along with the payment of fees. What kind of influence or control do the Government propose to give to the parents? At present, at any rate, through the payment of the fees a parent has some kind of reasonable relation towards the managers of the schools, but under the Government proposal it is possible that there will be managers who will not represent the wishes of the people at all. We ought to look at the matter from the point of view of the weakest link of the chain, and this we shall not do unless we deal with this point. We must take cases like the case of many rural parishes in Wales, and ask how the thing will work—in districts where, perhaps, 50 or 60, or 80, or 90 per cent. of the parents are entirely unrepresented by the managers of these schools. You are going to deprive the Nonconformists of the control of the schools—or, at all events, to hand over the whole of the money to people who do not represent them in any way whatever. I do not think the Principality of Wales will be satisfied with that proposal, or that Liberals of any sort or kind will be able to accept that principle. In a parish I know very well there are two denominational schools, under the management of one clergyman according to the deed, but where they have managed to allow a voluntary Committee (with the consent of the clergyman) to work them—a Committee composed entirely of Nonconformists. That is an arrangement which has worked well, and which has given satisfaction to the clergyman himself. But what will be the effect of the present proposal? The fees are 1d., and the total amount received in the parish from this source is £20. According to this Bill there will be a grant of £60—£20 in lieu of fees, and £40 to be handed over, not to the Nonconformist parents who are paying the fees, or to the Nonconformist members of the Committee of Management, but to the clergyman, who has the sole local management of the school, and who does not represent one-tenth of the population. No one will say that such a provision is fair, and I hope the Government will not forget that in carrying out their proposals they

must not do so in such a way as to create a sense of injustice. If they do they certainly will find a great deal of discontent. I wish the Government could have brought in the Bill side by side with a measure for District and Parish Councils, as that would have given us an opportunity of reorganising our rural schools in connection with this enormous gift. Depend upon it, you will never get the children of our rural schools educated in the higher subjects as they ought to be, until we have the means of thoroughly organising the schools. We must have proper organisation before we can get proper education. I believe that in some districts there is a sincere desire on the part of the people to realise their duties as citizens, and the example of the Colonies and the United States is in favour of giving the people an interest in the matter of education. The villages are waking up, and there is no question on which they might be trusted more than that of the organisation and management of schools. I fear, however, that great opportunities has been sacrificed to the General Election which is rapidly approaching. We were told last year that there was so much important business to be done that the House could not deal with the education question, but I hold that if it had been discussed then we could have given better attention to it than we can now, at the fag end of a Session, and on the eve of a General Election.

*(5.12.) MR. HOWORTH (Salford, S.): I wish to trespass on the patience of the House for a short time, while I put before it some reasons why I and some others, perhaps only a few, on this side, and a large number of persons outside, cannot receive with a very hearty welcome the proposals of the Government. Before I address myself more immediately to the question before the House, I must say that there was one statement in the speech to which we have just listened which I felt very much disposed to echo. I think it a misfortune that on these occasions we should have such very great difficulty in getting to know what the proposal is likely to be which is going to be put before this House. We are all trustees for large numbers of helpless people, and if a great change affecting them is going to be proposed by the Government, it ought not to be made in the shape of a surprise. I cannot help thinking that the inconvenience which was felt very much indeed some years ago on the other side of the House when a similar policy was adopted, has been felt in the present case, when all those who have a special knowledge of these educational questions have been kept absolutely in the dark as to the principles and provisions of this most important measure. There are two sets of Members on this side of the House who fail to find very much consolation in a measure of this kind. There are some who feel strongly that with the tremendous increase of population, the congestion of the population in the big towns, and the enormous increase in the classes who have neither thrift nor prudence, it is dangerous to loosen any of those obligations which make men rely upon themselves, and which put a personal responsibility upon them. We may be right or we may be wrong, but we feel that a great deal that has made this country strong and famous has been due to the fact that its individuals have had great personal initiative, and have been capable of being intrusted with great responsibilities. We dread very much indeed the supplementing and supplanting of this individual initiative by the corporate initiative of the community. We cannot help feeling that its effect will be to make the community a great deal more invertebrate. Another set of men on this side of the House are in doubt and difficulty as to the proposal of the Government, but on an entirely different ground. With them it is entirely a matter whether schools under denominational management should remain under that management or not, or whether we should loosen or weaken the denominational influence in the great mass of the elementary schools of this country. That is not a position which seems to me to be of equal importance to the former. It is the Statute Book which to a very large portion of the community limits their duties and prescribes their obligations, and when once we insert a provision that in future a man shall not be held responsible for the education of his children, we shall at the same time have taught a new and a very important and very wide-reaching lesson, which to some of us does not seem to have great pro-

mise about it. That being so, we feel that some very potent and real reasons should be given why a proposal to loosen this highly moral teaching should proceed from these Benches. Some of us have held all our lives the views which the majority of the Members on this side of the House held at the last election. We hold these views still, and we fail to find in the explanations which have hitherto been made public, any sufficient reason for a change so violent, so complete, upon a matter of such vital moment to us all. We have been told that the introduction of the principle of compulsion has in some way or other altered the conditions of the problem. But the obligation on a man to educate his children is not one created by law. It is one we share with the animal creation. The beasts of the field and the fowls of the air, in addition to providing food and shelter for their young, set us a magnificent lesson in this respect—that it is part of their instinct to train their young for the struggle of existence. If that be the case with the rest of creation, it assuredly applies with tenfold force to man, whose obligations and whose difficulties in this struggle have been so materially increased by the intervention of science and art. We think that that obligation, which is not created by statute or by law, is an obligation of a very useful character as an educational influence, not merely to the children but to the parents themselves. It seems to some of us that there is no obligation which makes a man so near the ideal he ought to reach, as the obligation which involves him in large sacrifices for the children for whom he is responsible. It seems to us that there is no logical tie of any kind between compulsion and the payment for the education of a child when the parent is able to bear that burden. We are told that we have already conceded the principle, that we are paying so much that it is absurd to haggle about what remains. But there is a great distinction between assisting a man to educate his children and enacting irrevocably and finally that in future in this country it shall not be deemed to be the duty of any man to make sacrifices for the education of his children. What we have always said is that, where a man is not capable of bearing the burden, we are prepared to relieve him; and if the present method of relief imposes some kind of degradation, it was not imposed by Members sitting on this side of the House, and I and my friends wish that some other process should be devised by which the same end can be secured. At whose expense is this tremendous experiment going to be made? I was speaking a few days ago to some poor young clerks who are my neighbours in the north of England. These young men, who are married and have children, said to me, "We will not, and cannot, see our way to sending our children to the board schools in Manchester for many reasons"—some of which were most creditable to them. They said, "Is it not a hardship and a wrong that we, whose means are only barely sufficient to keep ourselves and our children going, should have to make great sacrifices to send the children to schools where they will be taught in rather a higher standard than in the Board schools, and that, at the same time, we should be called upon to pay for the education of the children of our neighbours, many of whom have larger wages, and have not half the expenses we have?" It is very easy to think we are going to impose a burden on the rich for the relief of the poor. That is not the case at all. The great mass of those who will have to bear the burden, whether they pay it in rates or taxes, are men of the lower middle class, who have to educate their own children, and, at the same time, bear the tremendous burden of paying for the education of the children of their neighbours who are as well off, or a good deal better off. We are not dealing with a measure that has no great dramatic interest about it, and which is not likely to excite a great deal of dramatic clamour about the country. We are, however, dealing with a measure which is going to revolutionise practice and theory in every cottage in this country. We ought, therefore, to be very careful, and more than careful, at a time when, as the Census proves the population is increasing at a most appalling rate, and increasing especially in its most thriftless elements, that the people shall not have put before them by Parliament a fresh lesson that a man may marry as early as he likes, and bring as many children into the world as he likes, and that this great

grandmother the State is going to relieve him of one burden after another, and take away from him every motive and inducement to be thrifty. There was an appalling set of tables published the other day in one of the London papers, about the age at which the different classes in the community marry. It certainly seemed to me that the result of an examination of those tables was to show that among very large classes in our towns the notion has got abroad that the burdens of marriage are likely to be undertaken so readily and greedily by the State, that a man has no longer any inducement to be either careful or thrifty in that regard. I cannot help thinking that we are trying an experiment because it happens to be a popular experiment. In my reading of history I have always found that when politics have been converted into a public auction, there has always been a party in the country prepared to shout "guineas," when the party on the other side have only said "sovereigns." If you are competing for mere popularity with the great classes of indigent and thriftless poor, you are not able to compete with hon. Members opposite, who will always be prepared to outbid any possible offer you may make. If this change were demanded by large portions of the community, or if there were any demand for it among those who are most interested in education, and have the most knowledge of the subject—schoolmasters and the great body of permanent officials connected with the education of the country—I could understand the change being pressed through the House, and look forward to it with some degree of hope. But not only do we find nearly all those classes taking the other side, but not many years ago a Royal Commission, appointed by the Government itself, and containing some of the ablest and most experienced men in the country in regard to educational matters, reported forcibly and emphatically against free education, on the ground that it is likely to be pernicious in its practice. How does the principle of free education work in practice? It is of supreme importance that we should have a large body of material on which to base our conclusion. Judging, from such books and evidence as we have access to, it is shown to be a failure in America. As the result of free education there, it has been found that the attendance at school is very much less than in England—in the proportion of 3 to 5—and is still rapidly falling, while in some States it is falling to an appalling extent. As to France, a French statesman not many weeks ago stated that the subject in that country had become one of very serious trouble to those interested in education. It has led to an enormous increase of private adventure schools, where there are no means of obtaining thorough efficiency, and where a form of teaching is carried on which we do not wish to see developed and encouraged in this country. But this must be the result if we try by some fantastic scheme to reduce all the education in this country to one common level, to one common system of teaching, and to compel all the strata of society in our large towns to mix their little ones in the same schools, and, irrespective of their home surroundings and their habits, to form a homogeneous mass. It will lead to all forms of illicit teaching, to dame schools, and private adventure schools, where there is no Government Inspection, and where those standards of education which we all wish to see maintained will not be observed. I take this ground because I want to see that education shall at all hazards be maintained as high as possible, and shall not be degraded to a lower level. In Scotland, as I have been told by many school managers, while the attendance of the lower grade children has been increased, that of the higher grade children has diminished very considerably by the fixing of a sort of ideal limit by the Government itself, which is interpreted not as the low-water mark, but the high-water mark of education which the poor are to have before them. I have been told by a German of high authority in matters of education, that in Germany, and especially in that part of the country where the standard of education is exceptionally high—Wurtemberg—free education has been resisted even for the lowest classes of the community, in the belief that it weakens the interest of the parents in the welfare of his children. It seems to me, therefore, that on empirical as well as on *à priori* grounds we must arrive at the same conclusion—that the system of free education is likely to work mischief rather than good.

It is likely to destroy the sense of personal responsibility of parents, and to invade those family duties which have always been held to be sacred and obligatory upon us. Hence I and other hon. Members are here to say that we dislike the proposals of the Government, that we are as much opposed to them now as when we denounced them to the constituencies in seeking election. Holding the views I do, I have felt bound to explain why I and others who think with me cannot look very cheerfully on the proposed change, and why I think it is not likely to be of any great advantage to the community. I have avoided any discussion of matters of detail, because it will be impossible satisfactorily to go into them until we have the Bill before us, and therefore I have confined myself on general principles to a protest against the measure.

(5.45.) MR. MUNDELLA (Sheffield, Brightside): The hon. Member for Salford is always listened to with respect, because we all recognise in him great sincerity and courage; but I am bound to say that the speech he has just made is as "the voice of one crying in the wilderness." It is quite too late for the hon. Member now to make any protest in regard to free education. Even the limitations which the right hon. Gentleman has proposed in the Bill carry, I believe, the seeds of death in them, and must soon be swept away; and after the speech we have heard this day, I am quite satisfied that we are within measurable distance of universal free education. The time is not far distant when all schools must be free. I rose to ask for some information on certain points rather than to indulge in general criticism at this time. I was much struck with the proposal that an average fee of 10s. should be paid to all schools, and that it would be compulsory.

*SIR W. HART DYKE: I did not say compulsorily. I said it would be proffered to all schools.

MR. MUNDELLA: Then schools under 10s. will receive 10s. Whatever the present fees may be, that will amount in many instances to a pretty large endowment to existing schools, and will absolve them from any local rate. That is really a considerable grant to those benevolent and patriotic persons who now maintain voluntary schools at a low rate. The schools above 10s., as I understand my right hon. Friend, will have 10s. offered to them, and they may charge any balance of fees over the 10s. I put it to my right hon. Friend, What will be the effect of that? The right hon. Gentleman the Member for West Birmingham has said that school fees in Birmingham are an odious and oppressive tax. But what will happen? Where the tax has been lightened there will be the largest grant, and where the tax is most oppressive there the oppressive tax will be continued. In Lancashire the fees are very high and the schools very poor and bad. At Preston the fees are 19s. 10d. a head, at Stockport 19s. 1d., at Bury 17s.; in fact, throughout Lancashire and Cheshire the fees range from 12s. to 19s. per head. In Birmingham, on the other hand, the children have the advantage of a splendid education, far better than anything given in any town in Lancashire, for 5s. 7d. a head. I want to know how the people of Stockport, Preston, and other such places will like to pay 9s. a head in addition to the grant of 10s. It seems to me impossible to maintain the distinctions proposed.

*SIR W. HART DYKE: Any body of parents demanding free education can have it supplied.

MR. MUNDELLA: That is what I am coming to. The right hon. Gentleman said that any persons desiring free education can have it supplied. Suppose the labourers whose children go to a rural school demand free education for them, will that free education be supplied? And, if supplied, how will it be supplied and by whom? What does the right hon. Gentleman intend to do in such cases? Does he intend to set up School Boards in such districts, with free School Board schools? I would also like to ask the right hon. Gentleman what he means by maintaining the higher grade schools. There are, I believe, less than 100 higher grade elementary schools, which give a certain amount of technical education, and go somewhat beyond the fullest extent of the curriculum of the Code. But there are large numbers of schools in England that are not high grade schools, and which charge high fees. The quality does not depend upon the fee, and the rea-

son why the children attend such schools is that they have no alternative. Where there is no School Board the fees are fixed by the managers, and the Education Department has no right to interfere so long as the fees are under 9d. The right hon. Gentleman proposes to allow all excess over 10s. to be paid without requiring any improvement in education, without making provision for any sort of control or representation, and without doing anything to raise the quality of the schools or the age of the children attending them. The right hon. Gentleman has referred to America as an illustration. I should have thought he would have done better to refer to Matthew Arnold's last Report. The reason why the average attendance in American schools is not high is because, except in one or two States, there is no compulsion, and even where there is compulsory attendance it is very laxly enforced. With respect to the state of things in France, the position of Government schools there is due to their being compulsorily secular. They are called irreligious schools; but there are no irreligious schools in England. I wish to ask the right hon. Gentleman how he is going to maintain a high rate of fees in one district against free education in another? I welcome this first effort at free education, and hail it gladly, because it means free education for all our schools, and is the first step in the direction of a really national system of free education; and I am sure we all feel indebted to the right hon. Gentleman the Vice President of the Council for having performed his task, as he always does, with the greatest courtesy and diligence. I only hope that his successor in office will be in a position to propose the total abolition of fees in every school in England.

*(5.58.) SIR R. TEMPLE (Worcester, Evesham): I will, on this preliminary occasion, only touch on the topics of this Debate so far as it has gone, reserving my general opinion until the Second Reading of the Bill. I am anxious to declare my entire concurrence with all that has fallen from my hon. Friend the Member for Salford regarding the principle of this measure. I share with him his opinions as to the obligation on a parent to pay for the education of his children, and I participate in his regret that this measure, which establishes a certain sort of socialism as against the good old English individualism, should have been brought in on this side of the House. I also desire to endorse what my hon. Friend has said as to the unfairness of making parents who are poor ratepayers pay for the free education of the children of their neighbours better off than themselves. Then the greater part of the speech of the hon. Member for Rotherham was devoted to showing that the Government ought to have weighted their Bill with all manner of conditions in regard to extending the age of compulsion, general organisation, imposing fresh obligations on managers, and other matters. But is it reasonable to expect Her Majesty's Government to enter into these subjects under the circumstances? If they had thus extended the scope of the Bill, we might bid farewell to all hope of carrying it, not only this Session, but during the present Parliament. The hon. Member quoted the Bishop of London, to the effect that voluntary schools ought not to receive State assistance unless they obtain an equivalent amount of support from private subscriptions. But I argue that such schools have deserved well of the State, however small their private subscriptions may be. By their fees and their organisation they have prevented their scholars from causing expense to the ratepayers. This alone is a great service. The hon. Member seemed to argue that the onus rested on the voluntary schools to prove their justification for existence. But these schools have amply afforded such justification by the excellence of their work, which they have done as well as the Board schools, and further they have economised the national resources. They ought to be maintained, unless it can be shown that Board schools do the work better, and at less cost to the State. But I say that, instead of increasing the burden of the State for education, the voluntary schools lighten that burden. I now turn to the lucid and interesting statement of my right hon. Friend the Vice President of the Council. He gives, in his prefatory remarks, the reasons why within the last few years he has changed his opinion regarding the fee system, which he can no longer maintain. I have not changed my opinion. It has always been my view, which experience

during these same years has more and more confirmed, that the fee system ought to be maintained. A good deal has been said as to the system of collecting fees being vexatious. But that is the fault of the Education Department, and if the system is at fault it ought to be altered. Such alteration has been made in London. Again, it is said that with fees the average attendance falls of. The very opposite has been the experience of the London School Board. Together with a lax collection of fees the average attendance falls off. The right hon. Gentleman the Vice President has been complimented on the simplicity of his proposals. I fear it will be found that they are a little too simple. This 10s. grant will, I think, be found too much in some cases and too little in others. I should have liked to see a greater provision made for differentiation in the treatment of different cases. No doubt this grant will be a great boon to the poorer voluntary schools, and in this respect the proposals of my right hon. Friend are well worthy of consideration. I desire to express my concurrence in the proposal to restrict the abolition of fees to the compulsory ages, and also to provide that such abolition should apply equally to all the standards. I do not know why it has been said that in this respect we rely on the lesson learned from Scotland. It has been thoroughly understood by English educationists that to remit fees from the lower standards, and not carry the remission throughout the higher standards in elementary schools, is to put a premium on the humbler education as against the better education, and discourage children, poor in condition but endowed with ability, from passing onwards to those studies which may help them to rise in life.

(6.15.) MR. SYDNEY BUXTON (Tower Hamlets, Poplar): It is not necessary to follow the hon. Baronet through his argument; he and the hon. Member for Salford (Mr. Howorth) are as two political Mrs. Partingtons, trundling their mops to keep back these free school waves. I am bound to say that the statement of the right hon. Gentleman the Vice President was, to many of us on this side, a great disappointment. His speech was clear, and we listened to it with great interest. As he began we thought we saw foreshadowed an universal system of free schools, and I think hon. Members on the other side had the same impression, for while we cheered they were ominously silent. But as the speech proceeded, I am sorry to say the plan of the Government showed certain limitations to the principle of free schools to which great objection will be taken by many hon. Members on this side. We were gratified to find that not only the lower standards were to be free. There is one limitatian I hope will be swept away in Committee on the Bill, the proposal to force parents to pay fees for all children over 14 years of age. That limitation will affect some 40,000 children, and it will be greatly to their disadvantage if the parents withdraw them from school in consequence of the saving policy of the Government. It is but a small amount that will be saved in comparison to the great loss to the children. As to the question of infants under five, I think there is something to be said for the right hon. Gentleman's proposal. In what the hon. Baronet the Member for Evesham has spoken of as an objection, the simplicity of the Bill, I see a great advantage. In my opinion, the chief merit of the plan of the right hon. Gentleman is that it will pave the way for the action of a future Government that may desire to establish completely free schools throughout the country. I am bound to say that there is a most objectionable feature in the proposal, what I may call the "fining down" of fees. As I understand, the proposal is to pay 10s. towards compensation for compulsion, but where the fees are beyond that amount they may continue to be charged. The objection to the fining down of fees in schools charging above 3d. is that if the plan were adopted the compulsory system would be continued, and the fee system as well. I hold that if there is compulsion the schools ought to be free. I understand that free places are to be provided in schools when a certain number of parents demand that there shall be such places. But who is going to pay for the education of those who occupy these places? Is the Government going to give a large grant, or will the school managers provide the money? The plan of having free places in a school is by no means the same thing as providing a free

school. I regret much that the Vice President should have said that a distinction of classes is desirable in our elementary schools. I hold quite the contrary view, believing that a mixture of classes is a very good thing. In the London Board schools visitors are often astonished at the good appearance and behaviour of the children. There is a spirit of emulation amongst them, and the worst class endeavour to behave as well as the better. It is a case of good communications improving bad manners. I understand that one of the objects of the right hon. Gentleman is to get rid of the system of the remission of fees, which has done so much to demoralise parents; but the right hon. Gentleman will really re-introduce that system, because to give a parent a free place for his child in a school is tantamount to granting him remission in a fee-paying school. We shall endeavour to induce the House to insist that, if any schools are still to be permitted to charge fees, there shall be within the reach of every parent an entirely free school. The right hon. Gentleman has not said a word about the 17s. 6d. limit. Every school is now bound to provide a certain amount of local support as against the Government grant if it exceeds that limit. Does the right hon. Gentleman propose to do away with the limit altogether, and, if not, what does he propose to do? What guarantee does he propose that the grant shall really go to increase the efficiency of the school, and not to relieve the pockets of the subscribers? The best opportunity for raising the question whether there should be popular control over voluntary schools will come when the motion for reading the Bill a second time is made. But I may be allowed to say that I think the country will feel that, in places where any particular denomination has a monopoly of the education in the voluntary schools, it will not be fair or right to increase the sum of money granted to those schools, and at the same time to withhold from the parents all power of control. Although we accept the principle of this Bill—and we accept it with great pleasure and gratification, because it goes a great deal further than many of us expected—in regard to the points on which I have touched, I hope we shall have an opportunity of joining issue with the Government. If we are defeated now, I trust that when the Liberal Party comes into Office, and we know they will at the next election in spite of the bribe you have offered to the electors, they will take the opportunity of dealing with this question from top to bottom, and of freeing our great public elementary schools from all those charges now placed on them.

*(6.31.) MR. BARTLEY (Islington, N.): I should like to say a few words on this occasion, because I am one of those who take a very strong view on the question of relieving parents from all payment for the education of their children, and one who cannot support a view which I hold to be wrong, and which is not likely to tend in any way in the direction of improving the people socially and educationally. The first question we ought to ask is whether this measure will really improve the education of the country, and it is a very remarkable thing that in the speech of the right hon. Gentleman the Vice President of the Committee of Council on Education nothing was said about making our schools more efficient by means of this additional annual grant of £2,000,000 sterling. Nearly all educationalists who are not politicians assert that freeing parents from responsibility in the matter of payment will not tend to improve the education given in the schools, or its effects on the children or their parents. The Education Commissioners, who sat two or three years ago, were almost unanimously of opinion that the freeing of education would not be beneficial. Mr. Fitch, who is one of the Chief, if not the Chief, Inspectors of the Education Department—a man who has devoted his whole life to educational matters, has said that to impose a universal system of free education would be most mischievous. The right hon. Gentleman dwelt at considerable length on the importance of improving the attendance of scholars, and he said the abolition of fees would lead to the more regular attendance of children. The evidence of educationalists is against that contention. Dr. Rigg, for many years the head of the Wesleyan Training College for Teachers, and a man who has done a great deal of educational work, has said—

"Free education entirely fails to secure regularity in attendance."

One witness before the Royal Commission said that—

"No improvement in the attendance can be traced to a remission of fees."

Then, again, the experience of America is clearly opposed to free education improving the attendance of scholars. The attendance of scholars in free schools there is not as good as that in fee-paying schools in England. In the case of ragged schools, too, it was found that it was only by means of bribery and other means that children could be got to attend, except in the most spasmodic manner. Mr. Diggle, the Chairman of the London School Board, has said that in penny schools, the attendance is worse than in any other schools. Another witness before the Commission pointed out that in the case of some promising and flourishing evening schools, which were being carried on successfully when the experiment was tried of making the schools free, the attendance fell away to nothing. Professor Gladstone has written a most excellent letter to the *Times* on this subject. He is not a politician; he has spent many years on the School Board, and he is of opinion that free education will neither improve attendance, nor educational work, nor the character of the people. I venture to assert that this is not a measure which is promoted with the idea of improving the education of the country, but that there are other motives. Let us look at the matter from the point of view of the social improvement of the people. We are fairly entitled to ask is it reasonable to suppose that this measure will improve the social habits of the people? Sixty-seven per cent. of the parents pay the fees willingly and gladly. I am sure hon. Members in all quarters of the House will bear me out when I say that people in the poorest rank of life continually speak with pride of having made sacrifices in order to give their children the best education they could. Is it not well that we should encourage amongst our people the idea that in making sacrifices to give their children a good education they are doing what is right and proper? Is this a feeling to be lightly checked or eradicated? We want to improve the thrift, the self-reliance, and self-restraint of the people, and I ask if free education will tend to improve those qualities in the masses of the people. Reference has been made to early marriages. Will this Bill hasten or retard these wretched marriages? By a deputation from Friendly Societies, the other day in this House, we were told that constantly they hear of cases of children who were married at 16. No one will say that this measure will tend to retard people taking upon themselves the responsibilities of matrimony, which we all know is one of the great causes of the difficulties of the poor. In my opinion, this Bill will tend to increase rather than diminish the tendency to marry early. In many ways we are undermining, to a greater and greater extent, the social power of the people, by making them throw their burdens on the State, and encouraging rather than discouraging them in thoughtless disregard of the future consequences of their own actions. Is this socially wise? Again, is it not a fact that the brewers and publicans openly acknowledge that the consequences of the Bill will be a probable improvement in their business? Is this a matter of social satisfaction as a result of abolishing fees in schools? Surely those who are interested in the social improvement of the country must consider these facts with alarm. Let me conclude this branch of the subject with a quotation from Mrs. Fawcett, whose opinion I am sure will command respect on both sides of the House. She says—

"There are thousands of working men and women who are ready to make any sacrifice to secure education for their children. Hundreds of small economies are practised by the mother who is ambitious to give her boys and girls learning enough for the battle of life. The same motive has probably enabled more fathers to resist the temptation to intemperance than the alliance and all the Temperance Societies put together."

It is a serious thing for Parliament to do away with the responsibility of parents for the education of their children, with these facts before it, and with such opinions, which might be multiplied indefinitely if time permitted, pointing so clearly to the danger of the course. The present system is not so extremely hard after all. The State pays three-fourths of the cost of education, and parents who can afford it are only asked to pay one-fourth. Parents who cannot afford to pay are allowed under the present law to have free education. No

doubt the system of their having in many cases to apply to the Guardians for exemption is open to objection. This objection can, however, easily be altered without abolishing fees altogether. Surely when poor parents can have free education, and when parents who can afford fees only pay in those fees one-quarter of the cost of the education given to their children, the system cannot be called hard, but liberal and generous. The effect of this Bill on voluntary schools will, in my judgment, be their destruction. Considering they educated 2,250,000 children, whereas Board schools only educate 1,500,000, this is a most serious matter for reflection. To destroy denominational schools no doubt is the real attraction on the other side of the House to this measure. But the Church of England and some of the leading Dissenting Bodies have been the pioneers of the education of this country. Hon. Members opposite may say that the only motive of the Church of England has been to increase her following. If that is true, it is the greatest compliment that can be paid to the Church of England, because it shows that by improving the education of the people she believes that she will increase the number of her adherents. We have heard that this Bill is to give a fixed amount per head, namely, 10s., and that schools whose fees are more than this may still charge fees, but reduce them by 10s. a year. Thus a 5d. fee will become a 2d. fee. But surely to make a 5d. school a 2d. school is not granting free education. If we are to have free education, let it be free altogether. The present proposition must come to grief. Again, voluntary contributions will be endangered with large additional taxation for education within a very few years. Even if it gets through Committee, and if it is given up the best voluntary schools must lose largely. This Bill is the beginning of a new and permanent additional tax, which is at present equivalent to 1d. in the £1 on the Income Tax, and which will ultimately lead to universal Board schools at a cost four times as great as the sum now asked, and end in the utter destruction of the voluntary schools. Concerning the financial advantages of the proposed Bill let me say a few words. This is most important, for the total cost of education is now about £8,000,000 a year—a quarter, or about £2,000,000, is paid by fees. If free education is a tremendous boon, and if the people really want it, why not put the cost on the rates? The hon. Member for the Tower Hamlets said that if too great a burden were put upon the rates for that purpose he feared a reaction against education.

MR. SYDNEY BUXTON: Perhaps I may be allowed to state that I gave as one reason that the incidence of the rates is at present unfair.

*MR. BARTLEY: The incidence of Imperial taxes is also unfair, and if people really knew and appreciated that they were going to pay for so-called free education, they would not have it. The only difference between rates and Imperial taxation is, that the burden is more obvious to each individual. If the sum required for free education is paid out of Imperial taxes it can only come from alcohol or the Income Tax. I do not think that even the Chancellor of the Exchequer, who has not been too friendly to the publican, can contemplate adding anything to the tax on alcohol. Therefore, it practically amounts to this: that we shall require an additional 1d. on the Income Tax in order to carry out this boon. It is possible that 4d. may have to be added to the Income Tax if the voluntary schools are destroyed. Will not this have an enormous influence on the wages of the people? I venture to assert that the real object of all our legislation should be to reduce the taxation of the people and the burdens which press upon them, and so to raise their wages. The policy we ought to pursue, from a social as well as a financial point of view, is to do our utmost to make all the people directly pay the expenses which naturally fall upon them rather than take the more costly course of throwing them upon the State. It must be remembered that for every penny that reaches the Exchequer a considerably larger amount has to be taken from the pockets of the taxpayer. I would ask, is it the fact that the people cannot afford to pay the school rate now as well as they could in 1870? I think that is fairly a question to influence this Debate. Wages are better than they were in 1870. Wealth has been, and is

being, more evenly distributed. The price of necessaries is lower; the savings of the people are immensely larger. Whereas in 1870 there were only £17,000,000 in the Post Office Savings Bank, there is at present something like £80,000,000 in those banks. In addition to this, we have the evidence furnished by the accumulations in Building Societies and the Friendly Societies and other means for promoting thrift, and I say at the present time the majority of the people are immensely better off than they were 20 years ago. In 1871 there were 44 paupers in every 1,000 of the inhabitants, whereas at present there are only 23·6 paupers in every 1,000. In other words, the poor rate of this country since the passing of Mr. Forster's Act has declined by nearly one-half, and in London it has decreased by more than one-half, from 48·8 to 21·2 paupers per 1,000 inhabitants. This is largely due to efforts to make people more depend on themselves. This has been of untold value to the happiness and social progress of us all. The question whether people can afford these fees brings forward the subject of alcohol. I am not a fanatic on that subject, and I believe we shall always have a large bill for alcohol. But we spend £140,000,000 a year on alcohol; and if one glass in every 18 were given up, the whole cost of education might be paid for without utilising the rates or taxes at all for that purpose. One glass in every 70 would supply the amount of present fees, or £2,000,000 a year. There is no doubt, as I have said, that the people of this country are as able as they were 20 years ago to pay the school fees. I say it is not the true friend of the working man who tells him he cannot afford to pay the fees; he is rather the friend of the working man who says he should strive to do so, and who tries to make him independent and self-reliant. I must say a word on the question of who is to pay for this abolition of fees. The schools are to be called "free schools." I think that is altogether a misnomer. Some one must pay, and we are robbing Peter to pay Paul. We are going to say to those who now pay the fees of their children while they are at school, and who can afford to do so, that we will relieve them of those fees, but saddle upon them in place of the fees a tax which they will have to pay all their lives, and whether they have children or not. I was talking to a poor working man the other day, and he said he believed in free education, although his children were all grown up, and it would not, therefore, concern him at all. I said, "It does concern you, because we are going to put on a new tax in order that you, for the rest of your life, who have educated your children, shall pay some share of the cost of your neighbour's children's education." This view had not struck him, and he went away a wiser but a sadder man. This is really an essential part of the Government proposal. We are to saddle the thrifty, and therefore the self-reliant, man with a fresh burden in order to relieve the man who has the means, but who is unthrifty and improvident, and who thinks of nothing but himself. I must say I think that when this is understood, the people will not care for the proposal as much as some suppose. When people understand that they are all going to pay their share, the popularity of this measure will very soon go, and the delusion which the word Free inspires will disappear. Of course, if the Chancellor of the Exchequer is going to impose some general tax, individuals, although they pay their share, will not feel it quite as much, or quite realise what they are paying. But what we know is coming is an addition to the Income Tax. I know hon. Gentlemen opposite have a notion that only rich people pay that tax. I find, however, that of those persons who pay Income Tax on Schedule D—that is to say, artizans, tradesmen and professional men—more than half of the entire number, or a quarter of a million heads of families, pay Income Tax on less than £200 a year, and, therefore, if they pay 1d. extra on the difference between £120, and the little more than £150 they earn, they will each have to pay 5s. 2d. a year extra in perpetuity. In other words, persons who earn about £3 10s. a week will contribute no less than £56,000 a year towards an extra 1d. on the Income Tax for so-called free education. I calculate that the 106,000 heads of families who earn about £5 a week will each pay 10s. 10d., or £59,000 a year;

the 45,000 who earn about £7 a week 20s. each, or £45,000 a year; and the 18,400 who earn about £9 a week will pay 37s. 6d. each, or £35,000, so that, altogether, the bottom strata of the middle classes and the top strata of the working classes—that is to say, persons with incomes varying from £3 to £9 a week—will pay a sum of something like £195,000 a year towards free education if an extra 1d. be put on the Income Tax, as practically is now the case, for the surplus this year would have allowed a reduction in the tax bill for free education. If voluntary schools are really done away with and universal Board schools take their place, this increase will become at least three times as great a burden on the rate and taxpayer. One argument for this measure of free education is that the people pay too large a share of taxation, and that this is a plan for making it more equal. I have always asserted that the poor man who uses tobacco and tea and alcohol at present pays too large a share of his earnings in taxation. This Bill will make the condition of things worse by adding to that man's burdens, and I contend that the proper thing would be to re-arrange the incidence of taxation rather than take a course which will increase the general burdens and demoralise the people at the same time. During the last 20 years a great deal has been taken off taxation. We have remitted the taxation on coffee; we have taken £6,000,000 a year off sugar, and £1,500,000 off tea. The Inhabited House Duty has been reduced, and much has been done to make taxation more equal. Why should we not continue in that course if further adjustment is needed? Why has this measure been brought in? There are several motives it is true, and I have no doubt as to what those motives are. But educationally, socially, and financially the measure will not benefit the people. It will saddle the hardworking man with greater taxation. We were once told that there were men who spent 4s. 3½d. a week on beer, and 2d. a week on education. Well, by this Bill we are telling them to throw that 2d. a week into their beer money. I say, for all these reasons, that this Bill is a mistake. One of the motives which has led to the introduction of this measure is this: that if the Conservative Party do not deal with this question the Radical Party will deal with it in a worse way. [*Cheers.*] Hon. Gentlemen cheer that statement. I should like to see them try it. When their Party tried to destroy the voluntary schools in 1870 it utterly failed. Since 1870 millions upon millions of money have been spent on voluntary schools; and any attack on those schools will be resented in every possible way by the great bulk of the country. Another motive for the introduction of the Bill has been put forward by the hon. Member for West Ham in a letter to the *Times*, in which he states that free education will be a splendid Party cry. If the Conservative Party are to promote measures with a view to catching votes, I think that they are not much better than the right hon. Gentleman who a few years ago set his principles aside in order to secure 70 or 80 Irish votes on the other side. Will it, however, next year, before a General Election, be a popular cry to add 1d. to the Income Tax to pay for the Bill? Hon. Members opposite do not conceal their delight and gratification at this measure; they believe it will tend to destroy the voluntary schools of the country. That is their aim, and one of their means of attacking the Church. I think they are right, and that we are playing into their hands. I venture to warn my own friends on this side of the House that there is a growing discontent on this subject. The clergy object to it; educationalists who are not politicians object to it; social reformers, who are not politicians, object to it; and, lastly, a large number of Conservative Members object to it. Some, no doubt, approve of it, possibly because it will gain the Party a few votes, but those who have devoted some of their time to the work of education know that the measure will damage our position. If one side is to bribe against the other, why do we not bribe in the thorough way and throw in free meals as well? Why not pay a parent so many shillings compensation a week for sending his child to school? After all, the loss of the child's services is the *crux* of the whole question and not merely the school pence. I have always held that there should be a kind of partnership between the

parent and the State as regards the cost of education. I hold that a parent should make an effort as well as the State in the matter of education. This measure is, in my opinion, a sad error. It is not needed; it will not improve our educational efficiency; it will relax the sense of family responsibility; it will demoralise our people; it will throw the burden of education on those who can least afford to pay; and, finally, will lead without fail to the destruction of the voluntary schools; and I warn the Conservative Party that in the downfall and destruction of religious schools will come the downfall and destruction of the Constitutional Party.

(7.7.) SIR W. HARCOURT (Derby): The Committee have heard three speeches from gentlemen who I believe are supporters of the Government, all of them gentlemen of authority in the Party, the last speaker being recognised as an earnest worker in the interests of the working classes. This measure has been denounced by them, and this fact may perhaps discourage the Government. The Committee have heard some remarkable statements from the hon. Member for North Islington as to the burden of the Income Tax; but those statements seemed to me to tell rather in the direction of graduated Income Tax.

*MR. BARTLEY: I merely quoted the figures of the payments now made by the different classes of persons having to pay Income Tax. I have no idea of graduated Income Tax at present.

SIR W. HARCOURT: I should be sorry to attribute any heresy to the hon. Member; all I suggested was that the remedy for the evil he has pointed out would seem to be a graduated Income Tax, a danger which I am sure he entirely deprecates. Those being the unfavourable symptoms on the other side of the House, I beg the right hon. Gentleman who introduced the measure to believe that there are a great number of Members who are in favour of free education, and who are glad that the right hon. Gentleman has arrived at those convictions which he has so frankly and so honestly avowed. But what is wanted is real free education, undiluted free education. I know very well that it is often the habit, especially in measures coming from the other side of the House, to introduce all kinds of restrictions and limitations which sometimes are very useful. Those restrictions are like the shores used to prop up a ship while it is being built, but when the vessel is launched the shores and props are knocked away; and I trust to see, either this year or the year after, the abolition of the limits to the Bill. I have not risen to make any lengthened observations on the Bill; I wish to see it in print first; but I have risen only because I was afraid that the Government might be dismayed by the speeches which have been delivered from the other side, and I wish them to be of good courage, in spite of the heavy shot fired on them from below the Gangway. There are, however, one or two points which are not quite clear to the Committee. We should like to know whether in the rural schools the Government can give the assurance that in every one of those schools there will be, and must be, free education. That point has not been made quite clear. I should also like to know in distinct terms what measures the Government are going to take to secure that the excess of contribution over the fees will go to the improvement of education and not to the relief of the voluntary contributions. So much for the rural schools. The Committee have not clearly understood what the right hon. Gentleman is going to do with the schools where the fees are above 3d., and what is to be the consequence in those cases. I very much agree with the hon. Member for North Islington that the right hon. Gentleman's proposal—which was received with a loud smile—that a 5d. fee should be reduced to 2d., will not hold water. Is it possible to conceive side by side with free schools other schools where fees will continue to be paid? I do not quite understand what is the value the right hon. Gentleman attaches to the fact that fees are to be paid in certain schools. The right hon. Gentleman says that the present variation in fees and in schools will be maintained. But I understand that the object of making a change is to remove the anomalies and evils of the system. Therefore, to say that the object of a plan is to keep things as they are is to condemn it. The right hon. Gentleman says that where parents desire to have free education they are after a certain time

to have the right to it. How is this going to be worked out? Is it to be possible for a single parent to say, "I want free education for my child," and, if he does, is his child to receive free education in a ninepenny school? Can such a system work? How can you have many scholars paying 9d. and one going free? Is it meant that all the parents of the scholars shall have a right to demand that a free school shall be set up? ["Hear, hear!"] Very well; how will the thing be done? I have Returns of fees paid at certain schools, and these show that they amount to 15s. at Accrington, 17s. at Bury, and 19s. 2½d. at Stockport. What is gong to happen in Stockport? Who is to decide whether a free school shall be set up? I am addressing these questions to the Vice President, and I hope the answers will not be inspired by the Member for Oxford University; that is the last source from which I wish to have an inspired answer. What will be the position of the 19s. 2½d. school with free schools by the side of it? These are what appear to us to be the blots in your Bill, so far as it has been presented to us. We fear that it will, instead of removing anomalies, introduce fresh difficulty. It may be that we have misapprehended the proposal of the Government. What is desired is absolutely free education. Will the Government give an assurance that there shall be free schools in rural parishes? If they do, there will remain the far more important question in whose hands the control shall be placed. I hope the right hon. Gentleman will not regard these criticisms as in any way hostile to the measure, but only as expressing a desire to strengthen and extend the scheme which has been submitted to the House.

(7.24.) MR. J. CHAMBERLAIN (Birmingham, W.): It is rather difficult to discuss the principle of a measure which is not before the House in all its details. It has been usual, on the introduction of a measure, to do no more than was necessary to elucidate its details. At the same time, I do not think the House will regret to have had exhibited in several speeches survivals of the past in the shape of arguments against any such measure, which would have been thought very tenable 20 or 30 years ago. Now, however, circumstances have forced such a measure on both sides of the House. Yet, "faithful among the faithless," a few are found to urge objections which have become antiquated. Parents, it is said, will not value an education they do not pay for. They will still pay; the Bill only alters the method in which they will pay. Instead of taking the money from the parent at the time when he has most difficulty in paying it, it calls upon him to pay through the taxation of the country during the whole course of life. The payment would extend over a longer period, but the parent pays as much in one case as in the other. Hon. Gentlemen have told us that experience, and particularly that of foreign countries, is against the proposal; and on that point I differ from them entirely. Their authorities are very questionable. Who are they? The Rev. Dr. Rigg, Dr. Fitch, and an anonymous writer. Dr. Rigg has always held his opinion. Dr. Fitch held the same views in 1870. Since then we have obtained a mass of information. Dr. Rigg, I venture to say, is now in a minority in the Wesleyan body, and Dr. Fitch among Her Majesty's Inspectors. The experience of America has been referred to. If my hon. Friend had taken the trouble to read the Reports of Matthew Arnold he would have seen that they show that in every case in which schools have been made free by State Legislatures there has been at once an immediate and a large increase in the average attendance. A similar result followed in France, and it has been attained even in England. Before 1870 the Manchester Education Society established a free school in Manchester, and there the attendance was more admirable in every respect than at any other school in the town. At Birmingham, when I was Chairman of the School Board, we had not power to establish a free school, but we had power to reduce the fees to the minimum of a penny, and in every case in which we did so the attendance went up and became more regular. Indeed, there is now abundant evidence to show that where education has been cheapened or made free, there the attendance has been infinitely improved. Then, the present method of collecting fees has a most injurious effect upon education. In cases in which parents are unable or

unwilling to pay fees children are sent home for the fees by teachers, they lose a day's teaching, and in that way occurs a break in continuous instruction which every one knows to be most disastrous. It is said that these cases might be met by free orders, but the application for them, besides being in itself a humiliation, smooths the way to the Board of Guardians and the poorhouse, and familiarises parents with the receipt of relief. I appeal to the hon. Baronet the Member for Evesham whether it is not the result of his experience on the School Board for London that free orders are increasing, and is it not almost certain that this demand will go on increasing until it will become difficult to avoid making schools free? If they do not do so, every extension of the free system will increase the unfairness and injustice to those parents who have to pay; for they will have to pay not only for their own children, but for their neighbours', who are, perhaps, as well off as themselves. On these grounds I have come to the conclusion that it has become a social and educational necessity to release the parents of the children attending elementary schools altogether from the payment of fees. Again, by this change the teachers will be relieved altogether of a great burden now falling upon them. The teachers have to spend a considerable time in keeping the accounts in connection with the fees, and in endeavouring to collect the fees. It would be most economical to release the teacher from this work, and enable him to devote the whole of his time to the education of the children. I now come to a different class of objection. There are two important matters to be considered. In the first place, is the freedom of the education given under this Bill to be complete? In the consideration of this question, I separate hon. Members' capacity as educationists from their capacity as politicians. As far as educationists are concerned we ought to be thoroughly satisfied with the measure, for, as far as I can see, it is complete. A grant of 10s. is to be allowed all round as against the existing fees. Wherever the fee now charged does not exceed 10s. that school henceforth will be absolutely free for children between the ages of five and 14. Personally, I very much regret the limit of 14 years, on purely educational grounds. I think it very undesirable to put anything in the nature of a handicap upon the extension of education, or to lessen the temptation of parents to keep their children at school as long as possible. I know that at present only some 40,000 children are affected by the 14 years of age limit; but I hope the Government will favourably consider any Amendment for the elimination of the limit. I do not similarly plead for those children below the age of five, because at that age it is not a question of education, but rather one of nursing arrangements. Proper education does not begin till after the age of five, and therefore, as far as those children are concerned, I do not plead for any extension. Those schools whose fees do not exceed 10s. will be entirely free, and, of course, in this category are included by far the large majority of the schools, The percentage of these schools to the whole number is something like 80, and with regard to the other 20 per cent., where the fees are above 10s., I understand that the managers will have a choice. They will be able to make their schools absolutely free, or they may continue such a fee as will bring in the difference between the 10s. grant and the old fee. The children in these schools may therefore be called upon to pay a reduced fee; but if the parents desire free education they are not compelled to send their children to these schools. As I understand, the Bill provides that anyone in any district where there is no absolutely free education provided can petition the Education Department, and the Department, after satisfying themselves of the truth of the petition, can make an order, in the terms of the Orders under the Elementary Education Act of 1870, requiring the accommodation to be provided within a reasonable date. If the order be not complied with a School Board will be set up, and a School Board school opened. I think, therefore, I have proved my point that this Bill is not incomplete, but complete for free education; because anybody in the country who desires free elementary education will be able to have it under the Bill. I say "anybody who desires it," because there may be a class of parents who do not desire it. An hon. Gentleman

behind me protested against the suggested desirability of maintaining distinctions in the elementary schools. I do not know whether I should go so far as to say that it is desirable to maintain these distinctions, but I say that as long as human nature remains the same it cannot be prevented. The attempt has been made in the United States, and undoubtedly one of the reasons for the extension of private and voluntary schools in that country since the enforcement of the Education Acts has been the desire on the part of the better class of the working men and smaller shopkeepers to have for their children an education a little more select than that given by the common schools. An hon. Gentleman says that is undesirable. Well, I ask him to consider practically the circumstances of the case. Would he like to send his children to a school where they might meet very rough people indeed? Is he perfectly certain that in that case the good communications of his children would make better manners among the others, or would he not be rather afraid of the converse taking place? As my right hon. Friend the Member for Sheffield (Mr. Mundella) has said, in Birmingham we have most excellent schools, both Board and voluntary; but in spite of the excellence of the schools and the lowness of the fees there are parents who prefer a private school, not because the education is better, but because they desire to keep their children apart. We may expect, then, that in a great number of cases there will not be any objection to paying the modified fees payable under the Bill. The cases of Stockport, Macclesfield, and Preston have been quoted. Undoubtedly, the fees charged in those towns are very high, and a large proportion of the schools there will not be free under the Bill, if the managers choose to continue to charge the difference between the present fee and the 10s. grant. But I believe that, under these circumstances, there will be a demand for free education, not a demand equal to the full extent of the accommodation required, because a very considerable number of the working classes will, I think, prefer to pay the modified fees. The result will be that the voluntary schools will have to make their schools free, or else new schools will have to be established. From an educational point of view I am glad to give a hearty support to the Bill, and to see so much progress in a direction in which I have laboured for so many years. There is one other objection which has been taken, which has been lightly glanced at, and I think properly lightly glanced at during the present discussion, and that is what I should call a political objection, because it is likely to divide parties. It is alleged by some that the grant of free education should be accompanied by control of the voluntary schools; but it ought to be declared whether by control is meant real control or only popular representation. I, myself, should strongly urge any voluntary school to accept popular representation, because to do so would strengthen the institution. But popular control is altogether a different thing. I will not at this moment go into the question whether it would be desirable or not; but, whatever I may have stated on that matter in the past, and I do not think I have said anything inconsistent with what I am going to say, I have now come to the conclusion that it is not desirable, practicable, or politic to ask for public control over those schools. I do not think that I have ever said anything inconsistent with my present statement. But whether from the numerous speeches I have made on the subject of free education any remark can be picked out which is at variance with that statement I really cannot say. The hon. Member for Bradford (Mr. Illingworth) ironically cheers that remark. I will say this, that in 1885, long before I had any idea that a Conservative Government would propose free education, and when I had no idea that the Gladstonian Liberals would support it. ["Oh!"] Oh, yes, I am aware, of course, that there were brilliant exceptions; there is the right hon. Member for Derby, for instance, who has always been a consistent advocate of free education; I have always given him credit for having worked with me in 1870 in that direction, and I am not likely to forget the fact. But I was going to say that in 1885, when I had no reason for modifying my views on the subject, I went down to Bradford, the district represented by my hon. Friend, and on that occasion I put forward the very plan

of this Bill. I then stated that it was unnecessary to interfere with the denominational schools, and that it was undesirable to destroy such schools on account of the enormous expense that would be entailed by their destruction. I admit that at that time the hon. Member for Bradford took a different view of the question.

MR. ILLINGWORTH: Will the right hon. Gentleman allow me to explain. The right hon. Gentleman was present at a meeting of the National Liberal Federation in 1885, when a programme was adopted under which it was provided that public elementary education should be free and should be under popular control; and the right hon. Gentleman took up that programme and supported it.

MR. J. CHAMBERLAIN: No; that is not exactly accurate. Undoubtedly I accepted generally the principle of free education as laid down by the National Liberal Federation at that time; but at the meeting I explained my views upon this particular point. I remember, too, that I went so far as to put my views into writing in an article which appeared in the *Fortnightly Review*, in which I explained that upon this particular question of the destruction of denominational schools my opinion differed from that held by the National Liberal Federation. I wish to point out that I regard the matter from the same point of view now that I did then, and that, in my opinion, it would not be safe for any Government, whether Conservative or Liberal, to propose any scheme which would involve the destruction of the denominational schools, on the ground that to provide substitutes for them would involve such an enormous cost, while the advantage to be gained would be so slight, that it was hopeless to expect to get a popular vote in favour of the proposal. That being my opinion then and now, I am perfectly satisfied with the line which the Government have taken in the matter. I am quite aware that a certain section of the House, who are represented by the hon. Member for Bradford, who has always entertained a different opinion on this point from that which I hold, and who certainly has the courage of his convictions, go boldly for destroying denominational schools altogether, for establishing popular control over education, and for setting up Board schools universally. Of course, they would have them to defend themselves against the objection that their proposal is a very costly one. That section are entitled to put forward their views in the form of either a Resolution or a Bill, but they have no right to mix up their opinions upon that particular point with the question of free education. The granting of free education will not alter their position with regard to the denominational schools in the slightest degree, and it will be just as easy for them to press forward their views with regard to those schools after as before free education is granted. The Government Bill will not strengthen the position of the denominational schools in the slightest degree. It must be recollected that the Government are not about to increase the income of the denominational schools on the average. Whether the money comes from the fees paid by the parents or from the State, as the result of compulsory taxation, the amount will be the same on the average — in some cases there may possibly be a gain, but in others there will be a loss. The right hon. Member for Sheffield has asked a question which is undoubtedly of great importance—namely, whether the Government intend to impose any conditions as to extra efficiency in cases where the grants happen to be a larger sum than has been received for fees. All I can say upon the point is that if the right hon. Gentleman can devise and put upon paper any plan for carrying out that proposal it shall receive my most careful consideration, and it will doubtless be welcomed both by the Government and by the House. I may, however, point out that it will not be a very easy thing to do. In Birmingham, for instance, the school fees amount to 5s. 7d. a head, while the education given is considerably above the average. In such a case is it going to be insisted that if 10s. is to be granted in place of the 5s. 7d., the character of the education, which is already so very good, is to be still further improved? Does the right hon. Gentleman intend to make an exception in favour of Birmingham? Perhaps the right hon. Gentleman wishes to have a Schedule to the Bill. [MR. MUNDELLA: No.] Well, I am bound to

feel my way, because it is impossible for me to know beforehand what is passing in the mind of the right hon. Gentleman.

MR. MUNDELLA: I have pointed out that the grant of 10s. to voluntary schools will in some cases go to reduce the voluntary subscriptions to those schools.

MR. J. CHAMBERLAIN: That remark of the right hon. Gentleman in no way touches the point I was making, because the 10s. grant will not go towards reducing voluntary subscriptions in the case of the School Board schools. I want to know what the right hon. Gentleman proposes to do in the case of School Board schools where the 10s. grant will exceed the amount of fees, as is the case in Birmingham, where the education given is already above the average. On the question of popular control, I think it is possible that the section of the House to which I have referred may have a very good case, but my contention is that that question does not arise at all upon this Bill, which, as an educationist, and as a social reformer, I wish to see pass. I wish to ask hon. Members who agree with me upon social and educational questions to consider whether the subject of popular control should not be raised upon some other occasion. In all parts of the House the conviction is almost universally held that free education has become inevitable, and no doubt a Conservative Government, for reasons which I need not particularise, have great advantages in attempting to carry out the proposal, and the friends of free education must be delighted to find that the matter has fallen into the hands of those who are so well able to deal with it. Now that the opportunity is so favourable for free education, for Heaven's sake let us avoid unnecessary discussion and do our best to enable the Bill to pass in what remains of the present Session.

*(8.0.) SIR W. HART DYKE: I am quite aware that later in the evening I may have to answer other questions that may be raised; but it is most important if this discussion is to continue that it should be continued on some clearly established basis. A sentence of mine seems to have altogether missed my right hon. Friend opposite, who, when I uttered the sentence, was speaking to his neighbours. What I said was this:—

"We propose that free places in a school, or a free school, should be provided in any locality where such accommodation is demanded, and that the same machinery now existing for the supply of ordinary school accommodation should be applicable for free school accommodation."

I think that covers the whole ground.

SIR W. HARCOURT: Will the right hon. Gentleman explain more fully this method of providing free places in schools?

*SIR W. HART DYKE: I did explain this. I endeavoured to explain that in schools where there is a variety of fees and where free education is demanded, this would be provided by means of the same machinery which now provides school accommodation.

SIR W. HARCOURT: Would this be the view of the Government? Supposing there are 100 parents in a locality who demand free education, will the Government say that these parents must find places for their children in the existing schools? Or, on the other hand, instead of so distributing the children, will the Department direct the establishment of a non-fee paying school?

*SIR W. HART DYKE: I was coming to that. The right hon. Gentleman asks by what means the demand of parents for free education can be made known. Now, there is the method by which the wants of a locality are made known now, by means of a memorial to the Department, and in this manner parents can combine and make their wishes known. If 100 parents demand free school accommodation that would necessitate a school. At all events, that is my present view of the matter. How this would work I have already indicated in my previous remarks. Where a number of these high-fee schools are in existence, and where the demand for free places is created, one, or perhaps two, of these schools would have to become free. No doubt, by co-operation between the schools, such accommodation would be found.

MR. SYDNEY BUXTON: Assuming that the managers of the schools to which the right hon. Gentleman refers should decline to accept free places, or to make one of their schools a free school, I would like to know how the right hon. Gentleman proposes that there should be a free school?

*SIR W. HART DYKE: As I have said, the machinery now existing for the supply of ordinary school accommodation would be applied for free schools.

MR. MUNDELLA: By a School Board?

*SIR W. HART DYKE: In every locality where the managers of voluntary schools refuse to supply the free accommodation demanded, the ordinary machinery of the Education Act will come into operation for setting up a School Board. Most probably, by a little co-operation, the schools will be able to manage the affair themselves. It is obvious that some little time must elapse before the views of a locality can be accurately known, and the time proposed to be allowed by the Bill for making such arrangements as I have indicated will be one year. It will doubtless be necessary for the Department to draw up certain regulations for getting early and accurate information on this point.

MR. MUNDELLA: Will not provision be made in the Bill for some means of testing the wishes of the population as to free schools?

*SIR W. HART DYKE: That might be a question for Committee.

(8.8.) MR. S. SMITH (Flintshire): We have listened with great attention to the right hon. Gentleman's statement, and with much that he said we agree. I wish particularly to call attention to that part of his speech in which he dealt with the distinction between fee schools and free schools, and, as I have been quoted as being in favour of keeping up the distinction, I may be allowed to point out that a rather unfair construction has been placed upon a few words of mine, picked out of a speech really in favour of free education. I claim to have been one of the earliest in favour of free education for the working classes; but I did point out a difficulty that would arise in connection with the social condition of the poorest portion of the population of our large towns. I have had experience among the lowest and most degraded occupants of the slums in our large towns, and I do say that the children of these parents are in that condition that the better class of artisans will not allow their children to associate with them. There is a section of the children in our large towns in London, Liverpool, and Manchester who attend school covered with vermin, and suffering from itch and skin diseases, who are filthy in habits and language, and no father of the respectable class of our working population could endure that his child should associate with these. Some classification must take place, and whatever the House may think, there is no getting over the fact that there exists in the large towns a residuum which must be dealt with separately in some form or other, seeing that a considerable section of the working classes will rather pay a small fee than allow their children to sit side by side with the class to which I have referred. I do not see why I should be regarded as having been guilty of a breach of sound policy because I have suggested that intelligent artisans and tradesmen ought to be allowed in some sense to choose the company with whom their children are to associate. It is only in this very limited sense that I advocated any distinction in our elementary schools, and for this very limited purpose, and I think if we could test the opinion of the working classes concerned, the great bulk of their opinion would be found in agreement with mine. And now I wish to call attention to two great defects in the scheme shadowed forth this evening. The first of these must in a special sense appeal to those who represent Welsh constituencies. Wales is a nation of Nonconformists, but a great part of the education is still supplied by Church schools. What the Nonconformist population object to is that in not a few cases the Church schools in Wales are proselytizing schools. Consequently the Liberal Members for Wales cannot heartily support this Bill unless some provision is made for popular representation upon the management. We do not ask that voluntary schools should be swept away, and that School Boards should be substituted all over the country, we do not believe that would be possible at present, and do not think that it would be fair; but we do ask that in a country like Wales, where the great mass of the population are Nonconformists, that there should be a reasonable amount of popular representation, parents being allowed to elect members to the management, and have a voice in the selection of the schoolmaster and the character of

the religious teaching. The other great defect in connection with the proposal is in relation to a matter I have often brought before the House, a point upon which our educational system is very imperfect, that we allow children to leave school at far too early an age. I should be sorry if we should lose this good opportunity to ask the working classes to make some small sacrifice by allowing their children to remain longer at school. If the right hon. Gentleman will listen to the appeal made to him, he will use this opportunity to improve the elementary education of the country. It is a deplorable fact that one-third of all the children attending elementary schools leave between the ages of 10 and 11, another third between 11 and 12, and only one-third continue after 12. This is a condition of elementary education far below the level of other European countries. In France the age of compulsory attendance is 13, in Germany 14. This is a great opportunity for bringing up the level of our education, and I regret that the Government are not proposing to do anything in the direction I have pointed out. I admit gladly that the Bill is a great advance in the direction of free education, and that a great boon is being conferred on the working classes. So far as I can see from the explanations elicited by the right hon. Gentleman the Member for West Birmingham, this will bring free education within the reach of all who wish for it, and I do not see that we are compelled to thrust free education upon those who do not want it. If there is a section among the working classes who prefer to pay fees for their children's education it will be a mistake to refuse them the opportunity. This is all I have to say at the present stage of the proposal. I think we are bound to insist that there shall be a means of protecting children against the proselytising effect of the teaching in Church schools, and I think the working classes are now quite prepared for that forward step which I regret the Government have not had the courage to take, the raising the age for compulsory attendance.

*(8.20.) COLONEL EYRE (Lincolnshire, Gainsborough): I claim to be one of those who are exempt from the stigma of a bribe in this matter. I have always held that compulsion naturally involves the corollary of the remission of fees, tha the fees should be paid out of the Imperial Exchequer, because the child is educated for the benefit of the State, not of the locality, and also that Board schools and voluntary schools should be treated on the same footing. I can safely say that as regards my own Division the two systems work well together, and I am not aware that there is any feeling of antagonism between them. I will endeavour to reply to some of the objections made in and out of the House. Objection has been raised that the payment of the fees would pauperise the parents. Statistics show that about one-fourth of the cost of the education of a child is paid by the parent, and that is all. That would amount to about 3d. in every 1s. Will anyone really assert that freedom from the payment of that 3d. will pauperise a parent, or lessen his or her interest in the education of the child? Again, it is said that education is a parental duty, and that if we free a child's education we might as well free its clothing and food. I think there is a vast difference between the two. Food and clothing are necessities of existence; we cannot say that of education, which is for the benefit of the body corporate. With regard to the expense, I think it is small in comparison with the advantages that we shall derive from this additional expenditure. The statistics of the London School Board for 1885 show that in that year 185,000 notices to parents with regard to non-attendance were served, that 12,000 parents were summoned, and 10,000 convicted, at a cost of something like £35,000. Now, at least half of that will be saved by the abolition of fees. Free education is spreading rapidly all over the world. It is already well established in Europe—for instance, in France, Norway, Sweden, Geneva, Neuchatel, Ticino Vaud, and Zurich education is free. In Austria, save in Bohemia, Moravia, and Silesia; in Italy and Bavaria it is free, save for a very small entrance. In Belgium 500,000 scholars are free, and under 100,000 pay fees. In Hungary parents pay 3s. 8d. a year. In Prussia free; and it is well known that the colonies are ahead in this matter of the Mother Country. In our own colonies schools are free in British Columbia, New

Brunswick, Nova Scotia, Ontario, and Manitoba, and also in New Zealand. In Australia, Queensland, where the schools are free, the results seem to compare not unfavourably with South Australia and Tasmania, where fees are maintained. It is said that this system will interfere with religious education, but I do not anticipate that there is here any difficulty that cannot be met, and we do not find there is that difficulty in those countries where the system has been adopted. I am aware that the Minority Report of the recent Commissioners, with one exception, says that no practical scheme for freeing schools has come before them which they can consider compatible with the continuance of the voluntary system. I believe it has been left for the present Administration to solve the difficulty. In many countries there is free education, and, at the same time, religious instruction. In Austria, in Bavaria (where there is compulsory Sunday School), in Prussia, in Norway, and Sweden. Even in France, Thursday is reserved as a whole holiday to enable parents to have their children taught in the religion to which they belong. As a Churchman I do not believe that religious education will receive the slightest injury from the proposal. My remarks are now of a general nature, and I reserve the right to agree or differ on points of detail that may arise in Committee. I believe this grant will be an enormous boon to the agricultural population, and I speak more especially for that portion of the agricultural population I have the honour to represent. In parts of the Eastern Counties the wages paid are lower than in other parts of England, and the remission of school fees will be an enormous boon to poor parents. I heard with great regret, I think it was from an hon. Member on this side of the House, the suggestion that the fees saved would be spent by the agricultural labourers in drink. I can speak for the Eastern Counties, and I say that I know no more sober class of men than the agricultural labourers. To these men the Bill will be a great boon, and I shall give my cordial support to the general principle of the Bill. (8.29.)

(9.0.) MR. CALDWELL (Glasgow, St. Rollox): The Government have been very fortunate in having surpluses from year to year, but they have not been equally fortunate in their method of applying them. On a former occasion they nearly came to grief over the Van and Wheel Tax, and, subsequently, over the question of compensation to the publicans; and I venture to say that on this occasion they have ventured on a path which they will find a very thorny one with regard to free education—not so much with regard to the principle of free education itself as with regard to the mode in which they propose to deal with this subject. Those who reap the benefit of the Government proposals will accept their help without any feeling of political gratitude; while, on the other hand, those who feel that the scheme does not go far enough in the advancement of their interests, will give the Government opposition instead of support.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. CALDWELL: The Government will undoubtedly receive opposition from those ratepayers who, having no children to educate, will, nevertheless, have the increased education rates to pay. The Government proposal is of a very wide and extensive character. They lay down the principle that education shall be free in England and Wales for children between the ages of 5 and 14 years. How they will carry this proposal out is another matter. It is much wider than anything we have in Scotland. Our education ceases to be compulsory after a child has passed the Fifth Standard, but here the Government propose that education shall be continued beyond the Fifth Standard, and until the child attains the age of 14 years. The mistake the Government are making is in thinking that free schools can exist side by side with the fee-paying schools. This has been found impossible in Scotland, where it was attempted, and the result was that there were only 25 free schools left in the whole country, so that agitation on the subject will be carried on until the next General Election. To maintain the fee-paying and free schools side by side is to cast a slur on those parents who send their children to the free schools, and they will never be satisfied until

the whole of the schools are made free, so that all the children shall occupy the same status with regard to compulsory education. The hon. Member for Flintshire (Mr. S. Smith) has said that he did not think that the better portion of the working classes should be compelled to have their children mixed with those belonging to the scum of the towns; but I would remind the hon. Member that in the whole of our parochial schools in Scotland there is no class distinction whatever; the children of the landed proprietor sit side by side with the sons of the labouring poor, and there has never been any such class distinction as he suggests. Even the landed proprietors themselves do not ask for that distinction. Moreover, I would point out that in the case of large cities this is a matter which rectifies itself. It may be said why should the children of Kensington be mixed up with those of Whitechapel. The answer is that such a state of things is practically impossible. Where a school is established in a particular locality it will be attended by the children living in that locality, thereby carrying out what may be regarded as a natural law. When the hon. Member for Flintshire speaks of certain shopkeepers not liking their children to mix with certain other children, I would ask him what about those working men who cannot pay school fees at all? Are they to be forced to keep their children away from schools? Another point is that if you have these free schools they ought to be equal to any other schools in the locality. Take the case of schools where the average contribution per head is under 10s. per year. Do hon. Members think it possible you can conduct a free school, giving a sufficient elementary education between the ages of 5 and 14, where the school fees at present do not exceed 10s. per year? I think it absolutely impossible. If you establish free schools for the working classes of England they will insist, as is the case in Scotland, that those schools shall be as efficient as any others in the same district. In the case of voluntary schools where the fees are under 10s., a profit would be made by the managers under your proposal, and it does not seem to be the intention of the Government to insist on any increased deficiency in these schools. It has been pointed out that in Birmingham, where the school fees in one school are only 5s. 4d. per head, that school would be receiving a benefit under the grant equal to 4s. 8d.; but in the Birmingham school referred to, although the school fees only amount to 5s. 4d., it does not follow that that represents the costs of the education given: a considerable portion of the cost coming from the local rates. In my opinion the proposal of the Government can only result in the destruction of voluntary schools. Under the Government proposal the voluntary schools must supply free places for all children between 5 and 14, or be prepared to meet with the competition of Board Schools. Either there must be free education in the voluntary schools or there must be Board Schools. What will be the probable demand when this principle is once established? How many parents are likely to pay? The Government base their proposal on the existing state of things, but that state of things will not continue to exist when their proposal is carried out, because if the parents find they can get their children educated free by simply asking for it, it is very unlikely that they will continue to pay fees. The effect, therefore, must naturally be that the voluntary schools will go to the wall. Take the case of voluntary schools where the average fee may be 19s.; it may come to this: that for a payment of 10s. by the Government, some parents would reap the benefit of 19s., while others would pay the whole amount. How would this work? Surely it must tend to destroy the voluntary schools. Some parents may insist on having education for their children costing double the average school fee, and the managers of the voluntary school may have to provide education costing 25s. to meet that demand. In acknowledging the principle that every child is entitled to free education between 5 and 14, the Government have taken a position from which they cannot resile. But with regard to the working out of the details, that is a matter which will not be under the control of any particular Government, either now or hereafter, but will be regulated in accordance with the views generally entertained throughout the country. Having once established this principle, the Govern-

ment have landed themselves in a mistaken policy, based upon the false idea that the existing state of things is one that will continue. On the contrary, the whole system will undergo radical changes, and it will be the fault of the Government if they find that the results of their action are very different to what they now seem to anticipate.

*(9.16.) SIR R. LETHBRIDGE (Kensington, N.): I do not propose to trespass on the time of the Committee for more than a very few minutes; but as a considerable portion of my life has been passed in the work of an Educational officer of the Government, I desire to make a few remarks on the Motion that has been brought forward by my right hon. Friend in his very clear and lucid statement. I wish at once to challenge the statement of my hon. Friend the Member for Salford (Mr. Howorth), which has also been repeated in several of the speeches delivered from the opposite side this evening, namely, that the Conservative Party generally in supporting this Bill are going back on the pledges made by them in 1885 and 1886. I can myself speak strongly on that point, because in my own constituency the question of free education was a burning question during the election of 1885. It was discussed by myself and my opponent on platforms throughout the constituency, and I may quote one or two words of my election address, in order to show that I do not fall under the censure of my hon. Friend. In that address, after objecting to the proposals made by some Radical friends of free education, on the ground that they would necessarily involve the destruction of the voluntary schools, or give the Board schools such an advantage in the shape of an endowment as would bring about the downfall of the voluntary system, I said—

"I recognise the hardship that is inflicted on many parents of the poorest class by the present law in regard to the remission of fees; and I would support any well-considered measure of reform, such as the provision from Imperial Funds of a system of free exhibitions tenable in voluntary schools as well as in Board schools."

I venture to hope, despite the laughter from the hon. Member on the other side of the House, that that distinctly describes the proposal now made by Her Majesty's Government. Surely the 10s. grant is open to the voluntary as well as to the Board schools, and it is in itself of the nature of an exhibition. In saying this I think I have said enough to show that some Conservative Members at least have been favourable to the principle of the present proposal. With regard to the point put forward by the hon. Member for North Islington (Mr. Bartley) and some Members opposite, namely, that the voluntary schools will be destroyed, or, at least, greatly injured by this system of free exhibitions, I certainly fail to understand how this grant of 10s. per head, which is to be given equally to voluntary and Board schools, can put the Board schools in any better position than the voluntary schools; if you mete out to both classes of schools the same measure, neither class can suffer. Hon. Members on both sides must feel that if anything can be done to alter the present system under which remission of fees is obtained it is a good and desirable thing. The hon. Member for Salford has said he is most anxious to alter the present method if he could see some means of doing it without injuring the voluntary schools. Surely that is exactly what the Government propose, and, therefore, I shall give the Bill my most hearty support.

(9.24.) MR. PICTON (Leicester): The hon. Member who has just sat down has described the Government proposal as involving a Bill for free exhibitions. Certainly, one usually associates the idea of exhibitions with a scholarship, enabling youths to proceed to Universities and Colleges to receive the higher kind of education. It is a favour which may be earned and may be deserved, but still it is a favour awarded in the case of particular schools to particular classes of the community. Perhaps the hon. Member opposite has properly described the proposal as a system of free exhibitions to be confined to a select number, while the larger number are debarred from them. This, however, is entirely different from our idea of free education, and from the speech of the hon. Baronet and others made at the commencement of this discussion, we are now able to understand how it comes to pass that the phraseology of the Government has swerved so constantly between the epithet "free" and the

epithet "assisted." Sometimes one heard of free education, and sometimes of assisted education, and we were puzzled to understand how hon. and right hon. Gentlemen on the other side should differ so much as to what sort of education was to be given. Now, however, that the Government scheme has been produced, we can well understand why it was that they did not know the difference between free and assisted education. We, on this side of the House, decline to endorse this scheme as one of free education, although we are perfectly happy in the assurance that it must lead to free education as a universal system. I, at least, am of opinion that there can be no doubt as to that. We have been continually told during this discussion, that it is not desirable to say much on the details of the proposal now before us, and with that limitation of the discussion I am disposed to agree. Nevertheless, there have been some points so graphically put before us that we have a perfect right to deal with them, and, therefore, I propose to canvass a few of them. The scheme propounded by the Government is one for the special abolition of fees for those children who are within the compulsory ages of 5 and 14. The right hon. Baronet (Sir William Hart Dyke) very rightly condemned the notion of limiting free education to particular standards, but he saw no disadvantage in leaving the charge on children under five years of age. He used, with regard to them, these remarkable words, that "under five years of age children go only to save their parents trouble, and, in fact, they practically learn nothing." I should like to know how much he has studied the question. Has he never heard of the Kindergarten system? Has he never read any of those interesting works in which it is shown that children obtain a very large part of their education before they are five years of age? I suppose his idea of education is cramming a child with multiplication tables, and spelling, and other such dry details. Has he any idea that education consists in the development of the faculties of the child, and I should like to know at what age is that development more swift and more interesting, or more needing scientific aid, than between the ages of three and five. If only the right hon. Baronet will take the trouble to go through one of the large Kindergarten schools which abound in London under the superintendence of the School Board, I think he will soon be disabused of his amazing idea that children practically learn nothing until they are five years of age. It is true that what they do learn is very often learned under the teaching of mothers and nurses, but that is not the class of population which demands school accommodation for their children. For poor children, the Kindergarten system is replete with blessings which are unspeakable. Yet we are told by the right hon. Baronet, who represents national education in this House, that children under five years of age may be neglected and left to play in the gutter, to get under the wheels of vans, and to lose their little lives by catching the infection which arises from the filth in the streets, because the Government will not pay their school fees for them. This is a very serious defect in the Bill, and one which ought to be remedied before the House is called upon to read the measure a second time. Already the London School Board has provided a very large amount of accommodation for infants of this age, and the money will have been largely wasted if these children stay away from school, as they undoubtedly will if you draw this arbitrary distinction between them and their older brothers and sisters. What I have said as to the London School Board applies equally to School Boards in large towns, and to many denominational schools. Now I come to the mode in which assisted education is to be applied. The managers of denominational schools are to be treated tenderly. They are to be allowed to charge the difference between the 10s. paid to them by the Government and the higher fees which they have been in the habit of receiving from the parents. What will be the consequence of this? We know that in elementary schools the fees have been as high as 9d. and 1s. Is it intended in cases where 1s. has been charged, the school shall receive the Government Grant and charge the parents 9d., or where the fee has been 9d. they shall charge 6d.? If that be so, there will be a large number of children in the country who, under a professed system of free

education, will have to pay 6d. weekly for their schooling. Therefore, so far as that goes, the Bill is a mockery and a sham. "But," says the right hon. Baronet, "we shall take care that free places are provided in the schools." And what will be the difference between free places and free schools? Exactly the difference that there is between free seats in churches and free and open churches. In the latter Christians are placed on an equality; in the former the free seats tend to pauperise those who use them. And so free places in schools will lower children in the social scale. But, after all, I am bound to admit that there are some very excellent proposals in the scheme of the Government. For instance, when I consider its effect upon schools in which the fee is 1d., I say enormous advantage will accrue to the School Boards. The Boards have very many more 1d. fees that have denominational schools. I know that Roman Catholics, very much to their credit, have, in proportion to the amount of school accommodation that they provide, a considerable number of 1d. fees, but still it is a comparatively small number, and it is true that the enormous majority of 1d. fees are to be found in Board schools. A penny at 40 school weeks a year gives 3s. 4d., and the remaining 6s. 8d. of the 10s. will be so far an endowment of Board schools, which I am sure the School Boards will heartily welcome, although it may be questioned if the managers of denominational schools will like it so well. In describing the difficulty of totally abolishing all fees in public elementary schools, the right hon. Baronet insisted on the necessity of what he called elasticity—not elasticity in educational requirements, but elasticity with a view to allaying the social jealousies which confessedly exist among different sections of the population. He desires to revive here and there the more expensive schools, in which children of specially fastidious parents may be educated. He quoted some remarks of my hon. Friend the Member for Flintshire—remarks I am sorry to hear have been uttered by any hon. Member professing Liberal opinions—as to the classification of children. We have been told the great difficulty of entirely free public elementary schools is that there would be in attendance low and dirty children with whom the children of respectable people could not be expected to associate. Now, I have had some little experience in educational matters, and when the right hon. Gentleman the Member for West Birmingham turned round and claimed that his experience in elementary education was transcendental, I ventured to differ from him, for when he was busily engaged in business and attending to municipal affairs I was old enough to be taking a considerable interest in educational questions. I was in 1870 elected a member of the first School Board for London. I believe I was the only member elected on that Board, who put prominently in his address to the electors the principle of free compulsory secular education in our public elementary schools. I was a member of the Board for some nine years, and therefore I can claim to have experience in the matter. At the time the Board was created there were a large number of what were called ragged schools in London—a very shameful name to have been adopted for them. There was among the members of the Board from the beginning one of whose services it is impossible to speak too highly. I only regretted that venerable and honourable old age prevented him continuing his membership. I refer to Mr. Benjamin Lucraft, who possessed an extensive and profound knowledge of the working classes. He always protested against a classification which involved a stigma, insisting that the effect would be to keep the scholars in ragged schools at the low level at which they entered, and so give a lasting character to those schools. He maintained that if the schools were open to all sections of the community, it would tend to gradually ameliorate the condition of the worst classes. This was exemplified in the case of the Ben Jonson School, where lads in a ragged and disreputable condition had their self-respect awakened, became animated by a spirit of emulation for tidiness, and soon became as other boys in the school. That is the result in all institutions in which social equality is insisted on. I regret that in Liverpool this distinction of class is kept up; there are ragged schools under the superintendence of the School Board, with the result that the children enter the school ragged, and leave it without any improvement in their social con-

dition. Compare the systems of London and Liverpool, and you will see that the former is by far the best. The proposals of the Government fall very short indeed of what we might have expected from them when they gave the House to understand that they were going in for a system of free schools. When hon. Gentlemen were seeking examples of the system, why did they disregard our Colonies? In Australia and New Zealand, the children of people of every rank in society go to Board schools; and why should we be behind our own Colonies in this respect? There are two ideals before us in this matter. One is the satisfaction of all kinds of sectarian and social jealousies. That is the ideal which the right hon. Gentleman proposes to carry out. The other is the ideal of social equality and national interests, and it must be preferred above all local jealousies and sectarian prejudices. Although the Bill will doubtless be carried, it will be only a stepping-stone to something far nobler. It is not for Members on this side of the House to resist a policy which they know will be the doom of all denominational schools. The make-shift scheme of the right hon. Baronet cannot stand before the sweeping tide of popular opinion. In that view we welcome it. We think the right hon. Gentleman is the best friend of Radicalism in this House. At the same time, we have a right to turn to right hon. Gentlemen on this side of the House. Some of us are of opinion that if they had adopted a policy of free education long ago, the country would have supported them. We think that they were rather slow—that they were too Conservative in their leading. But now they have learned a lesson from the right hon. Baronet. We look to them to be faithful to their principles. If they play us false—and I do not suppose they will—they will strike a serious blow at the unity of the Liberal Party. But I believe that when the present occupants of the front Opposition Bench again return to office, one of their first acts will be to fill up the sketch of the right hon. Baronet, and to convert it into a grand ideal of universal national education under the control of School Boards, in accordance with the opinions of the people of England and Wales, Scotland, and Ireland.

*(9.54.) SIR E. BIRKBECK (Norfolk, E): The right hon. Gentleman the Member for Derby seemed somewhat disturbed with regard to the support that this measure will receive from hon. Members on this side of the House. If he is under the impression that there will be great opposition on this side he is making an extraordinary mistake. I believe that only a very small number of Members on this side of the House will oppose the Bill on the Second Reading, and that those who do do so will, when they come to consider the matter with their constituents, find that they are in the wrong box. I desire, on behalf of the people of East Anglia, to thank the Government for having introduced this measure at the present time, and not delayed it till another Session. I thank the Vice President of the Council for the admirable speech in which he has explained its provisions. I am convinced that in East Anglia this measure will be hailed with delight. I am not a recent convert on this question; I have long believed that free education is a matter which ought to be undertaken by the Government. As Chairman of a School Board in a rural district, and as member of another School Board, I have become convinced that a measure like the present will lead to a better attendance in the schools. The school attendance officers have told me that if there is one thing which more than another will lead to more regular school attendance in rural districts it is a measure such as this. Again, as Chairman of a Bench of Magistrates, I have deplored the many cases that have come to our notice, and not only to our notice but to that of other Benches of Magistrates, of agricultural labourers who have had to give up a day's work and trudge eight or ten miles to be fined 1s. and 4s. expenses because of their inability to pay these school fees. I feel quite certain that many Magistrates sitting in this House must have regretted the imposition of fines for non-attendance of children, when the real cause for the non-attendance was the fact that the parents were unable to pay the school fees. I am quite sure that this measure will put an end to that state of things, and I am perfectly clear in my own mind that hon. Members who differ in regard to the measure will find that

their views are not in accordance with the wishes of their constituents, and those who oppose the Bill will probably find, whether the General Election comes next year or a year after, that they will not be sent back by their constituents to this House.

*(10.2.) MR. ILLINGWORTH: I think the discussion to-night ought to be welcomed, and I would congratulate the right hon. Gentleman the Vice President of the Council (Sir W. Hart Dyke) upon the performance of a very difficult and in some respects a disagreeable task. The right hon. Gentleman has been in a certain sense made the mouthpiece of a change of policy on the part of himself and his Party. He carried out the personal part of his task with such frankness and candour that it almost entirely disarmed any criticism that might have been based upon recollections of the right hon. Gentleman's former professions. He had, however, to perform a somersault on behalf of the whole of the Party which supports him. The right hon. Gentleman made an appeal to Members on this side of the House to forget the past. We have, however, not yet reached the millenium, and the right hon. Gentleman must be prepared for some home thrusts upon the position he and his Party have taken up in the past, because it has a direct bearing on the policy enunciated to-night. The right hon. Gentleman deprecates the introduction of religious animosity, but he knows he would have produced a very different scheme if it had not been a primary necessity for the Government to frame a measure in which the greatest consideration should be shown to the denominational prejudices of those belonging to the National Church. How can it be supposed that the question can be discussed without having steadily in view the demands made by the Established Church? We, Sir, who have the interests of education simply and wholly at heart, want to go forward, progressively improving the educational apparatus of the country; but the Government have at every step to consider how the proposed changes will affect the status and privileges of the National Church. That is the reason why we have a scheme of such a limited, imperfect, and partial character submitted to the House. The name "voluntary" as applied to Church schools is a complete misnomer. There is nothing of a national character which is more completely misnamed than are the denominational schools when they are called voluntary schools. During the discussions on Mr. Forster's Bill of 1870, the voluntary schools were for the purpose called national schools. That term has now almost entirely gone out, and, for a purpose, this term "voluntary" is now employed in its place, the purpose being to induce us to deal more mercifully and tenderly with the denominational schools. In what sense are these voluntary schools? The only sense in which they can be so termed is that the Government and the House of Commons have voluntarily abnegated their duties in regard to them. About one-tenth of the maintenance of the schools of this country is provided by voluntary subscriptions. I want to know whether this House, for the sake of assistance to the extent of one-tenth of the cost, would forego its right of absolute control, both local and national, over any other institution in the land? It was at a time when the people had no voice in this House that this system of sectarian schools was established, and the result is that we are now obliged, at the close of the nineteenth century, to consider the interests and position of these schools when we are considering the great question of public education. From a statement made by the right hon. Gentleman, it appears that there are 6,800 school districts with only one school, and that about one-fourth of these districts have School Boards. I would point out that a district is not without a choice of school when it has a school of its own choice. Taking, however, the figures of the right hon. Gentleman, there are between 5,000 and 6,000 school districts in this country in which there is only one school, and that is connected with the National Society of the Church of England. It is in this direction that many of us are looking. What is to be the fate and future of the schools in these 6,000 school districts where there is no choice of schools, and where in the past the whole cost of the maintenance of the schools has come from State funds? Is it to be imagined that at this time of day the House of Commons will regard as satisfactory and sufficient a scheme in

which no advance as to parental or popular control is dreamt of by the Government? I hope that when we come to a subsequent stage a declaration will be made from this side of the House as to what the nation is really entitled to ask for in the distribution of this vast amount of public money. The right hon. Gentleman the Member for Birmingham (Mr. Chamberlain), who has assisted in the exposition of the Government scheme, has informed the House that he has in no way changed his position on this question. I must leave the right hon. Gentleman to reconcile his own utterances. Speaking at Bradford on the 1st of October, 1885, at a time when he was ahead of his Party, the right hon. Gentleman said—

"The existence of sectarian schools and schools supported by State grants is no doubt a very serious question in itself, and one which some day or other ought to receive consideration. Whenever the time comes for its discussion I, for one, shall not hesitate to express my opinion that the contribution of Government money, whether great or small, ought in all cases to be accompanied by some form of representative control. To my mind the spectacle of a so-called national school turned into a private preserve by clerical managers, and used for exclusive purposes of politics or religion, is one which the law ought not to tolerate long."

I do not think that is the only utterance of the right hon. Gentleman going on precisely the same lines that is to be found. The Chancellor of the Exchequer, too, has on previous occasions championed the cause of popular representation of institutions maintained at the public expense.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I did not go against voluntary schools.

MR. ILLINGWORTH: We are not going against them. The right hon. Gentleman won his first distinction by the able part he played in the advocacy of open National Universities, and at that time precisely the same position was taken by the adherents of the National Church as is taken by them now. When the right hon. Gentleman fought the right of entrance to the mass of the people who wished to enter the Universities, the same pretensions were put forward as are put forward now on the part of those gentlemen who, at the national expense, are excluding the people from any management of these voluntary schools—so called voluntary schools. I apologise to the Committee for having fallen into the common mistake of recognising these schools as voluntary. If I remember right, even in later years the Chancellor of the Exchequer plainly intimated that he was on the side of popular control, and of some alteration in regard to these so-called sectarian schools. The question is, why have a Tory Government brought in this Bill? It has been candidly admitted by Bishops and others in very important positions that they have no liking for the project of free education, and that the only reason why it is brought forward is that if the question is left to the Liberal Party to deal with there will be less regard paid to the sectarian schools, and a great deal more concern shown as to what education is and what it ought to be. So far as the towns are concerned I look with some composure on the issue. Wherever we have a School Board many of us are prepared to allow the two or three schemes to run side by side; but the House will be sadly neglecting a very serious duty if it does not show some instant regard for the condition and position of the rural districts. In regard to free places, we know what they signify in a church, and in a school I suppose they will mean the same thing. The distinction that will be set up between children who pay and children who do not pay will be a very odious one in many rural schools, and a great dis-service will be done to the cause of education if it is established. The right hon. Gentleman the Member for Birmingham has argued that this proposal makes no advance in the direction of popular representation. I reply that, at any rate, there is a decreasing right on the part of the managers of these schools to the maintenance of an institution towards which less and less is every year paid in the shape of voluntary contributions. I hope the right hon. Gentleman, who, I believe, sincerely desires the progress of education, will accept suggestions, even from this side, which are intended primarily and wholly in the interests of education, though they may appear to militate against the position of the clerical managers.

*(10.26.) Mr. HEATH (Lincolnshire, Louth): I rise to congratulate the Government on the statesmanlike manner in which they propose to deal with the question of free education. I believe the proposal will prove satisfactory, not only to the labouring classes, but to the ratepayers generally. In the past there was opposition to free education, because it was felt it would be attended with immense danger to religious education, and involve a heavy charge upon the pockets of the taxpayers. In my belief, the scheme introduced will have none of those dreaded effects; indeed, it will, if anything, tend to lower the local rates. On the other side of the House objection has been raised on the ground that the scheme contains no provision giving popular control or providing for the increased efficiency of the elementary schools. But, in the first place, there is no demand for popular control of the schools; and, in the second place, the criticism which has been offered to the Bill will only serve to raise old controversies that will prevent the measure passing into law this year. As the Bill stands, it will tend greatly to an increase of the efficiency of schools, particularly in the rural districts. Those who have had to do with schools in rural districts know the immense clerical labour entailed on managers and teachers in collecting fees and keeping books. The absence of this clerical labour will tend greatly to increased efficiency. And I believe if managers do derive pecuniary benefit, a great portion of it will go towards the improvement of the schools. The objections offered to the Bill by the hon. Members for Salford and North Islington appear to me to be antiquated and sentimental. Poor men receiving 12s. 6d. and 15s. a week find it hard on the Monday to pay the 4d. or the 6d. in school fees, and it is especially difficult for them to do so when they have been out of work through inclement weather and other causes. It is said that in these cases fees should be paid by the Guardians, but it is a hard thing to make the honest and industrious poor go to the Boards of Guardians to ask for relief in the matter of school fees; it has a degrading effect upon them. Those who feel no degradation in the action will go; but those with a feeling of self-respect more strongly developed will not seek this means of relief, though they may sadly want it. I know that the Bill will be of enormous advantage to agricultural labourers particularly; it will be an immense advantage to small schools; and I hope that without delay the people will reap the benefit of the proposal.

(10.31.) Mr. J. STUART (Shoreditch, Hoxton): I think the hon. Gentleman has made rather a lame apology for his Party in endeavouring to point out that it was only one particular form of free education he and his friends on the Front Bench opposed in 1885. I am afraid he has not looked very closely into the matter, or he would have found that the hon. and right hon. Gentlemen sitting near him opposed not only the scheme of free education suggested by the right hon. Member for West Birmingham, but opposed free education in any form, not only because it would be injurious to denominationalism, but as ruinous to education generally, as well as to the parents relieved by it. I have looked up the record in *Hansard*, and if hon. Members will do the same they will find, as I have found, that speeches, such for instance as that of the First Lord of the Admiralty, were directed in 1885 against free education in any form.

The FIRST LORD of the ADMIRALTY (Lord G. Hamilton, Middlesex, Ealing): I presume the hon. Gentleman refers to quotations which appear in the *Star* newspaper; and, if so, I may say now that the quotation stops exactly where it should go on.

Mr. J. STUART: I referred to the noble Lord, because he seemed to indicate dissent from my general statement; but I am not incorrect when I say that the colleague of the noble Lord, now the Chief Secretary for Ireland, undoubtedly opposed any form of free education, and gave the reasons I have mentioned. I think the Chancellor of the Exchequer cannot deny that he brought forward with great force at that time an argument against the socialistic character of such a proposal and the injurious effect it would have on education. At that time, or in 1876, the Chancellor of the Exchequer foretold the determined opposition which would arise and continue in this country against denominational schools, and against the contribution of public funds for their support, but now

it appears that the right hon. Gentleman, in order to continue and to strengthen denominational education, is prepared to support the free education which he condemned so generally in 1885. The amount of change visible in the views of right hon. Gentlemen opposite since that time is almost alarming, and one scarcely wonders that so little approval was expressed of the speech of the Vice President of the Council by hon. Gentlemen behind and around him, for they must find it difficult indeed to eat these words of 1885 and swallow the principles of 1876. The hon. Gentleman who preceded me, and who spoke against remission of fees being obtained by application to the Guardians, must have forgotten that in 1876 this was precisely the argument used from this side of the House against the proposition made at that time by the very Party now in power, and who insisted that the Guardians were the proper authority to whom application should be made. Really one hardly knows what to expect from the other side of the House. We, however, gladly welcome the fact that so many hon. Members opposite are throwing aside the views they held in 1876 and 1885, and are coming to adopt the views held by Liberals in those years. The Liberal Party welcome this measure, halting and lame as it is, because it goes to a certain extent in the direction which has been urged so often by many Members of the Liberal Party. We recognise in this measure a step which must lead to universal free education, to the abolition of denominational education, and to the certainty of general popular control, and it will be supported by Liberal Members generally, not only because it gives to a certain extent what we want, but because it will undoubtedly lead to the acquisition of all that we want. I regret, however, that, owing to the late period at which it has been introduced, there will be so little opportunity afforded of discussing many important and thorny questions that may arise.

(10.40.) MAJOR RASCH (Essex, S.E.): I take the opportunity of saying shortly that I altogether repudiate the attack on the measure made by the hon. Member for Salford (Mr. Howorth). As a Member representing an agricultural constituency, I accept the statement of the Vice President of the Council as to the safeguarding of voluntary schools. The hon. Member for Salford has made many Malthusian allusions with which I do not agree, and has made statements on the fecundity of the rural population on which I need not follow him, and, with many mixed metaphors, he has condemned the proposed system of assisted education. I do not think the unfortunate result of some by-elections has had anything to do with the statements of the Chancellor of the Exchequer on free education. As to the charge of inconsistency, my conscience on this point is clear. In 1885 and 1886 I certainly opposed the unauthorised programme and the principle of free education brought forward by the right hon. Member for West Birmingham. I did so because I was certain that, according to the scheme of free education in the unauthorised programme, an enormous sum would be placed on the rates in the agricultural districts, and because the denominational schools would probably be swept away. I should like to induce my hon. Friends the Member for Salford, the Member for Evesham, and the Member for North Islington to accompany me on a visit among my agricultural constituents. I am certain that the politico-economic ideas of those hon. Gentlemen would undergo a change after such a visit. I cannot understand why the congested districts of Ireland should be assisted, and why the agricultural labourers in Essex, for example, should receive no assistance at all. Hon. Members on this side of the House are fond of referring to the desirability of fixing the agricultural labourer on the soil. Here is an opportunity of fixing the labourer on the land just as much as if he were to be given an allotment or the chance of a small holding.

*(10.44.) MR. WADDY (Lincolnshire, Brigg): I would not have intervened in this Debate but for the allusions which have been made to the opinions entertained by a religious body to which it is my great happiness to belong. We have been told by the hon. Member for North Islington (Mr. Bartley) of some high authority, a certain reverend gentleman whose views tend very much indeed against the adoption of this Bill. I have had occasion previously to protest, as vigorously as I am able to do, against the idea of our being

"represented" in this House. Nobody on this side or on the other side has any right to do it; but if it is suggested that any views are entertained by the body to which I belong, it would be better that it should come from somebody who has some dim notion of what he is talking about. The hon. Member for North Islington of this particular topic knows no more than the man in the moon. The reverend gentleman he has mentioned does not represent us. We have through a Committee formulated our views, which may be summarised as being in favour of a School Board in every district. We desire to see the present system of abominable tyranny under which our children suffer when there is only one school, and that a Church school, in the district, swept away. I do not want on this occasion to pile up indignation in any degree, whether in regard to the present or past history of these schools, because we are looking forward to the future. I do not want to spoil our ardent expectations of the future by any of the sad recollections of the past. I am moved by an amount of sympathy which I cannot describe for the calamitous position of hon. Gentlemen opposite. They are quarrelling amongst themselves in a way that is very sad to witness, and what we have got to do is to try as far as we can to compose their unhappy differences and to assist them to pass the Bill. When the substantial measure itself is before the House we on this side will give abundant assistance to the Government to enable them to pass it in spite of all the recalcitrants on their own side. When we come to those matters on which we do not altogether agree, there is no doubt that, voting on political lines, hon. Gentlemen opposite will, whether they like it or not, rally to the support of the Government. I have no doubt that in this way they will carry the objectionable clauses in spite of everything we can do. But we do not much mind. They will only continue for a short time—a very short time indeed. Before long we, availing ourselves of the platform which they have so kindly constructed for us, will take good care to get schools which will be free in every sense—not in regard to pence alone, but in regard to their management and control and the doctrines that are taught in them. The Party opposite are now being forced on in spite of themselves by outside pressure, which they may appear to laugh at, but which they are obeying, and which will result in our getting all that we need for the entire emancipation of the education of the country.

*(10.53.) MR. TALBOT (Oxford University): Through the indulgence of the Chairman the Committee has been allowed to wander over the whole education question on a Motion for considering the Financial Resolution on which the Free Education Bill is to be founded—and in saying that I am not presuming to limit the discretion of the Chair, but merely desire to point out that it is impossible within reasonable limits to deal in anything like completeness with many of the arguments that have been adduced. The hon. and learned Gentleman who has just sat down appears to know, though I am not quite so sure he understands the present and the past, everything about the future. He says that in a very short time he and his friends will be in Office, and judging from the tone of his observations, we may expect that when he occupies a position on the Treasury Bench he is going to sweep away all the voluntary schools, impose boundless burdens on the ratepayers, and make everybody happy. I do not know whether all these things will happen within the short time the hon. and learned Member anticipates; but if they do, I shall be very glad to congratulate him on the accuracy of his prophecy and the distinction that will come to him at the hands of Her Majesty. It is impossible for me, as a member of the Royal Commission which sat to consider this question, to accept the proposal for free education with a very good grace. The hon. Member for Poplar is the only Member of the House who sat on that Commission who was then in favour of free education. This, however, is not a matter of Party recrimination, for the 23 members on that Commission were by no means all Tories and Reactionaries. [An hon. MEMBER: Most of them were.] There was Dr. Dale; he is not remarkable for his reactionary principles; then there was Cardinal Manning, who, as everyone knows, though he is a great supporter of

denominational education, is certainly attached to the Party opposite; there was also Mr. Lyulph Stanley. [An hon. MEMBER: They are all Unionists.] Yes; but it has been said that the Commission was composed of Tories and Reactionaries. There were, I know, Gladstonians on the Commission; and, at any rate, nearly half of the Commissioners were Liberals. I still hold the view that free education is an unfortunate proposal. But if it is to come, practical politicians should set themselves to consider how best it should come. If it is to come, the best thing is that it should come rationally, and with due regard for the interests and claims of the voluntary schools. The hon. Members for Bradford and Leicester and for Lincolnshire, who have just spoken, were quite frank. They said they would not be content with anything that gives the slightest advantage to denominational schools. To be thus forewarned is to be forearmed. Though, therefore, I do not like free education, still if it is inevitable, the only thing is to get it on the best terms. That is the practical view of the matter. It is asked why stop at 3d.? But will anyone contend that education should be made free up to 9d.? Why should the Public Exchequer be mulcted to pay fees for people who are perfectly well able to pay for themselves? Why should the small shopkeeper and trader and clerk, who send their children to schools where they pay, have to pay for the education of children of parents who are practically as well off as, if not better than, themselves? I am glad that Her Majesty's Government have, at any rate, gone no further than 3d. There is one other consideration which consoles me for the adoption of a principle to which I cannot in theory give my consent. The one thing which weighs upon parents of the humbler class in regard to the education of their children is not the payment of the fees, but the loss of their children's labour. My hon. Friend the Member for Norfolk (Sir E. Birkbeck) has expressed himself as a Magistrate and as a member of a School Board in the sense that fees are the cause of non-attendance; but I am inclined to think that the payment of fees is no great hardship in any but a very few cases, but I think it is generally, as I know it is in the North of England, the loss of labour that is the difficulty. As far as the Bill will enable these people to bear more cheerfully this hardship, I accept it. But I do not believe that the working classes over the country demand this measure, nor am I sure they will be grateful for it. Nor can I delude myself or help to delude my right hon. Friend with the idea that the measure is going to be any great educational advance. I do not believe that in free schools the children will attend any more regularly, but, without committing myself to the scheme with any cordiality, I do not feel justified in opposing it.

*(11.4.) SIR L. PLAYFAIR: I shall postpone a discussion of the Bill from an educational point of view until the Second Reading. As to the question of attendance in free schools, referred to by the hon. Member for the University of Oxford, I may point to the experience in Scotland, where the lower standards alone have been freed. If we compare the annual increment of children under seven years of age in 1889, the last year of fees, with that of 1890, the first year of free education, the increase in these lower standards has been sevenfold since the fees have been remitted, but it has decreased in the upper standards. The hon. Member for Oxford University is opposing all the great traditions of his Church in opposing the principle of the Bill. When schools were introduced into this country by Religious Bodies they were all free. The first body to introduce elementary education to the country was the Society for the Propagation of the Gospel, whose schools were all free, as were the Lancastrian schools, afterwards the British and Foreign Society, and the schools of the National Society. It was not for a long time that these denominationally-established schools took fees, and when they did the fee was but 1d. But the introduction of compulsion by the Act of 1870 had the effect of raising all fees to such an extent that free education has become a necessity. Since that date denominational schools have increased their fees by 28 per cent. I do not agree that free schools are the corollary of compulsion; compulsion could be enforced if the fees were but uniform and moderate. It is the variation in the

amount of fees chargeable in different places which has converted me to the advocacy of free education. When a Birmingham operative pays 5s. 7d. a year for the education of his child in a Board school, and when removing to Manchester has to pay 14s. 4d. for similar education, how can you maintain compulsion under such a variation of fees? I believe that the safeguards and the intentions of the right hon. Gentleman the Vice President of the Council will very rapidly lead to a very general if not a universal free school system. The average fee of the Church schools throughout England is 10s. 7d., and the Government now propose to make a grant of 10s. It is impossible that the school managers will put themselves to the trouble and the expense of collecting the remaining 7d. The voluntary schools will necessarily become free schools in the great majority of cases. I wish to know whether I am to understand that all the schools throughout the country having school fees of a less amount than 10s. are to become free?

*Sir W. HART DYKE: Yes.

*Sir L. PLAYFAIR: All?

*Sir W. HART DYKE: All that receive grants.

*Sir L. PLAYFAIR: But what I want to know is, whether a school conducted by clergymen, who object to free education, may decline to receive the 10s., and stand out of the system altogether?

*Sir W. HART DYKE: In that case a School Board would be appointed at once.

*Sir L. PLAYFAIR: That, then, is an undertaking on the part of the Department; and if that is their intention, there can be no doubt most schools will soon become free, and I want hon. Members sitting on the Opposition side of the House to understand that. Even now 83 per cent. of the schools will become free, and that will be a great step towards free education; in fact, it will be difficult to stop any denominational school from becoming free. At present the average school fee of Church schools is only 7d. above the 10s. grant, while that of Roman Catholic and Board schools is under that sum, so these three great classes of schools at once become free, leaving out only exceptional cases such as Manchester, Preston, Bury, Ramsgate, and Stockport. If we have reached that point, let us see what this Bill will do and why we should support it. It is a great point gained that the upper standards are to be freed. The present evil of our elementary education is that to a great extent we free the scholar for labour when he has passed Standard IV., one so low that the thin veneer of education is rubbed off in three or four years of the wear and tear of life. The general intelligence of the country is rapidly growing, and you will find a great accession of scholars in the higher standards, and a future development in the intelligence of the people. There is no country in the world where a good education is so necessary as it is in this country. If you consider our commercial relations with the rest of the world, our restricted area, and our large population you will see how necessary it is that our people should be better educated than the people of any other country. By allowing children to go out to labour at the early age we do we place ourselves behind all other European nations except two—Italy and Spain—and I hope that before the House of Commons parts with this Bill they will insist upon the parents, upon whom such a great boon is being conferred, being compelled to allow their children to remain at school for an additional year. We should say to the people, "We are offering you a great boon; we are practically taking from you the fees you are accustomed to pay; we are giving you free education, not only for one child, but for all your children who go to school, and we ask you in return to assist us, in spite of the opposition of one or two counties, in the interest of the well-being of the whole community, by keeping your children longer at school. We assure you that in this way you will increase the education and intelligence of the country, and enable it to hold its own as the leading manufacturing country of the world." Raising the compulsory age from 10 to 11 was recommended by the Royal Commission on Education, and that limit should have been adopted in this Bill if the Government have not the force of their convictions to raise it to 12, which our representatives advocated, with the approval of the Government, at the Berlin Congress.

(11.19.) COLONEL NOLAN (Galway, N.): I do not intend to interfere in regard to the English aspects of this Bill, though I think the Irish Members have a right to interfere, for I remember Mr. Disraeli once saying in this House that the Irish Members were the natural representatives of the Roman Catholics of England, and I believe this Bill very seriously affects the Roman Catholics of England. I rise to ask what are to be the parallel steps taken for Ireland in this matter of free education?

THE CHAIRMAN: That is not relevant to the Resolution before the Committee.

COLONEL NOLAN: Very well, whilst I bow to your ruling, Mr. Courtney, I will point out some difficulties in which I feel. I have got to vote money on this English question in utter blindness as to what is being done in my own country on this subject. I am not even allowed to ask whether we are going to get any money at all in Ireland. If there were a larger number of Irish Members here I should be inclined to move to report Progress, because I am not allowed to speak about Ireland on this Bill. The Irish Members are placed in a most difficult and extraordinary position. We are ordered to say blindly "Yes" or "No" on this English question, and we are not even allowed to ask what is to be done in Ireland. While I support the general principle of the Bill, which is to support primary education in all schools, voluntary and otherwise, I find myself in a position in which I shall be obliged possibly to oppose certain stages of the Bill until I can get some answer from the Government on questions which I am not allowed to raise.

THE CHAIRMAN: Order, order! The hon. and gallant Gentleman is repeating himself on subjects altogether foreign to the Resolution before the Committee. There are proper occasions for obtaining the information he desires.

COLONEL NOLAN: Very well, Mr. Courtney, I shall take every opportunity on other occasions of obtaining the information I have been unable to obtain upon this Resolution.

(11.24.) Mr. SYDNEY GEDGE (Stockport): As Member for a borough which rejoices in not having a School Board, but of which a large part of the population is Nonconformist, and having had recent communications with my constituents on the subject of the Government proposals, I wish to say a few words. At recent meetings with my constituents I ventured to prophesy to a certain extent what the Bill of the Government would be, and they were very well satisfied indeed, and hoped I would use my own discretion in supporting such a Bill, because they thought a measure framed on such lines was worthy of all support. I am bound to say that the Bill of my right hon. Friend has gone beyond my prophecy; and if my constituents were satisfied with what I predicted, I am sure they will be still more satisfied with the Bill itself. I am one of those who in 1885 undoubtedly opposed free education as I then understood it. I did so on the general economical ground that free education was, after all, but a sort of outdoor relief, and on the ground that parents would care less for education for which they paid nothing, and that the attendance was likely to be less regular. I also opposed it on the still stronger ground, that if, as was then proposed, you covered the country with Board schools only, the result would be most hurtful to education in three respects, because it would be so exceedingly costly that in all probability there would be a natural reaction against the system, also because you would have one level of uniform State education without variety and without rivalry or competition, and, lastly, because you would take away from the parents the security that their children would receive at school such religious instruction as they wish them to have. I reckon that if such a system of free education were adopted the additional cost to this country would be over £6,000,000 a year. The Board schools, having the rates behind them, do not manage matters as economically as the voluntary schools do. If all the children now educated in Church of England schools were transferred to Board schools they would cost 9s. 1d. each more than they do now, the Roman Catholics would cost 11s. 5d. each more, the Wesleyans 8s. 7½d. more, and the children in the British and other undenominational schools 6s. 8¼d. more. Multiplying these respective figures by the number of children in these different

schools last year, I find that the total additional cost of education would be £3,263,917. If you add £659,383, as representing the fees now paid to the Board schools, you can get a total of £3,923,300. To that you must add 4 per cent. on a sum, which the right hon. Gentleman the Member for Birmingham (Mr. Chamberlain) has modestly put at £50,000,000, for the provision of school buildings, and you will then get up to a total of £6,000,000 a year of additional cost. If you add the present Government grant of over £3,200,000, and the £1,300,000 odd paid by the rates, you get a total of £10,500,000. An expenditure of this kind would be fatal to education. It is said that Board schools are more efficient than voluntary schools; but let us see what the Government grant amounts to in the different schools. On an average, the grant per head to the Church of England schools is 17s. 3¼d; to the Roman Catholic schools 17s. 2½d.; to the Wesleyan schools 17s. 10¾d.; and to the British and other schools 17s. 9d., giving an average of 17s. 6½d. per head. To the Board schools it is 18s. 5¾d. Considering all the disadvantages there are in the want of funds for providing sufficient apparatus, together with salaries for competent masters, and so forth, I say that at the present moment the voluntary schools show results at least as good as those of the Board schools, in spite of the jeers of hon. Members opposite. The only other point to which I wish to call the attention of the House is the idea which has been expressed that free education will lead to early marriages, because parents will have the burden of educating their children taken from them. I have come to the conclusion that the result will be just the opposite of that, because I cannot think that any young couple ever think of postponing their marriage on the ground that six or seven years hence they may have children for whom they may have to pay school fees; nor do I think they are likely to hurry on their marriage because they will be freed from such a charge. What they look to is the immediate expense attending marriage, and if you make them pay their fair share of the general cost of free education at once, you will be much more likely to stop early marriages than by any fear they may entertain as to the chances of the future. I look on this proposal as one that will benefit the thrifty and the prudent. If it were simply a scheme to increase the facilities offered to the pauper classes for the remission of school fees, I should be opposed to it. I have had much experience of the work of the London School Board for the last 20 years, and I have seen a great deal of the hardship inflicted on parents through having to submit their private affairs to the investigation of the Guardians or Board Committees in order to obtain a remission of their fees; but the Bill to be founded on this Resolution will encourage the thrifty rather than the thriftless, because in the case of every one who chooses to allow the fees to be deducted they will not be charged. The other day, when I was in Somersetshire, a labouring man with a large family said to me the hardest thing in his life was to have to pay 1s. 1d. per week for the education of his children. I am certain that such a man would be only too delighted to hail this proposal, so that he may feel that without submitting his affairs to the investigation of public officials he will in future be able to get the benefit of free education for his children.

*(11.38.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I desire at this hour to appeal to the Committee to give the vote at once. There will be many other opportunities of discussing the matter after the Bill is in our hands. Until we have the Bill before us and read it, we are at a disadvantage in discussing the proposals of the Government, which have been explained with much ability by my right hon. Friend. Certainly, so far as the Government are concerned, they have no objection to make to the reception given to the Bill. The Government have made it clear that the measure of free education which they desire to press on the consideration of the House is one which is not intended to impair the efficiency of voluntary schools. They have no desire nor intention to destroy a portion of our educational system, which has done excellent work in the past, and may do excellent work in the future. The right hon. Gentleman the

Member for Leeds referred to the fact that 83 per cent. of all the children in schools in England will at once receive free education. This is a consideration which will, I hope, conduce to facilitate the passage of the measure, and lead the Committee now to allow the Resolution to be agreed to, so that the Government may be in a position to bring in the Bill to-morrow.

(11.41.) MR. T. ELLIS (Merionethshire): I shall not enter into the question of the pledges hon. and right hon. Gentlemen on the other side of the House have given to the country on this subject, but I should like to ask a question or two with regard to what is intended to be done in relation to the extension of free education to Wales. The fees paid in the elementary schools in Wales amount to little short of £80,000 a year, which is equal to an average fee of 8s. per child. According to the Government scheme of 10s. per head, Wales should receive, not £79,000, but nearer £100,000, as there are nearly 200,000 children in average attendance at the Welsh schools. I ask the right hon. Gentleman, will the money be merely handed over to relieve the School Board rates, or to do away with the necessity of voluntary subscriptions to the so-called voluntary schools? If he desires that the money shall be given to do away with the voluntary payments, I can promise him strenuous opposition in Wales. We want the money for the bettering of education, and not for the lightening of the rates, and certainly not for doing away with the voluntary subscriptions. We have been told by the right hon. Gentleman the Member for West Birmingham that the intended Bill will make no addition to the income of the voluntary schools. Now, I will take just a few cases at random to show what will be the case in Wales. In one school in Denbighshire, with an average attendance of 282 children, fees £109, and subscriptions £38, making a total of £147, there is an endowment of £64, and a Government grant of £245. The new Government grant will be £141, making a total received from the public of £450, so that for every 1s. in future given by subscribers this school will receive from public money 75s.: in a school in Carmarthenshire, with an average attendance of 155, with fees of £41, and subscriptions £8, the new grant would be £77 10s., whereas the fees and subscriptions are only £49. Will the fees be paid by the Government and the subscriptions done away with, and about £28 handed over by the Treasury to the clergyman to do what he likes with? In a third school, in Carnarvonshire, the fees £33, subscriptions £13, and average attendance 162, the new grant would mean a clear gain of £34 14s. 3d. If all this money is to go to the clergyman to do what he likes with, I call it a more than wanton waste of public money. Are the Government going to do away with the necessity for subscriptions and, at the same time, to hand over sums of public money, varying from £5 to £30 and £50, to the clergymen of these parishes without giving the ratepayers or the parents, the great majority of whom are Nonconformists, any control whatsoever?

(11.46.) MR. HUNTER (Aberdeen, N.): Before the right hon. Gentleman replies, I should like to ask him with respect to the sum set aside for the half year—£920,000. Next year double that sum is to be allowed; but the total is deficient by no less than £500,000. The Government propose to exclude children under five years of age, and that will save £175,000. Still, there is a deficiency of £390,000, and I should like to know whether there is any other scheme which will explain that amount?

*SIR W. HART DYKE: I can only inform the hon. Member that the amount has been most carefully calculated by the most able officials; and I believe it will be found that in the aggregate the sum named by my right hon. Friend will be sufficient. With regard to the points raised by the hon. Member for Merionethshire, I can only repeat what I have stated before. It is perfectly true that in Wales, where the fees are low, and great sacrifices have hitherto been made both on the part of ratepayers and subscribers, relief will be given to the amount the hon. Member has stated, and the relief will be shared partly by the ratepayers and partly by the managers; but the hon. Member has made a large assumption when he suggests that the money will go into the clergyman's pockets. The first duty of the Education Department, however, will be to secure greater effort in all these country

schools; and, so far as I am concerned, I am prepared to pledge myself and the Department that if this measure is passed the educational condition of country schools must be improved, and the excuse of poverty will no longer be permitted. The Government have indicated what their intentions are, and at this late hour I hope I shall be forgiven if I do not further extend my observations. I can only say, as far as I am concerned, that I am satisfied with the discussion that has taken place, and I feel assured, from the attitude which hon. Members opposite have taken, that they will be able to discuss the measure when it comes before the House in a sensible and practical way.

MR. SEXTON (Belfast, W.): I wish to ask why the grant for England and Wales has been separated in the Resolution from the grant for Ireland and Scotland, and how long it will be before the Government will state their intentions with respect to Ireland?

*MR. W. H. SMITH: It would not have been regular to include Ireland and Scotland in the present Resolution. If the hon. Member will ask the question to-morrow or Thursday, the Chief Secretary will make a statement in regard to Ireland, and a statement will also be made in respect to Scotland.

MR. SEXTON: I suppose no long interval will elapse?

*MR. W. H. SMITH: Certainly not.

COLONEL NOLAN: Can the right hon. Gentleman state roughly the number of children who will be dealt with under the Act, and the proximate cost?

*MR. W. H. SMITH: The statement has been made in the House before. I have not the figures at my fingers' ends; but if the hon. and gallant Gentleman will ask a question to-morrow the information shall be given to him.

Question put, and agreed to.

Resolved, "That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of a Fee Grant in aid of the cost of Elementary Education in England and Wales, and to make further provision with regard to Education in Public Elementary Schools."

Resolution to be reported To-morrow, at the commencement of Public Business.

Sir W. Hart Dyke

MESSAGE FROM THE LORDS.

That they have agreed to,—Seal Fishery (Behring's Sea) Bill, with an Amendment.

SEAL FISHERY (BEHRING'S SEA) BILL. (No. 345.)

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): I beg to move that the Lords Amendments to this Bill be considered.

MR. BRYCE (Aberdeen, S.): My right hon. Friend the Member for Derby and myself have considered these Amendments, and see no reason for objecting to them. We hope that the House will agree to them, as it is desirable that the Bill should be passed at once.

Question, "That the Lords Amendments be forthwith considered," put, and agreed to.

Lords Amendments considered and agreed to.

MESSAGE FROM THE LORDS.

BRINE PUMPING (COMPENSATION FOR SUBSIDENCE) BILL.

That they do request, That this House will be pleased to communicate to their Lordships, a Copy of the Report, &c. from the Select Committee appointed by this House in the present Session of Parliament on the Brine Pumping (Compensation for Subsidence) Bill.

Ordered, That a printed Copy be communicated.

PUBLIC ACCOUNTS AND CHARGES BILL.—(No. 252.)

Read the third time; Verbal Amendments made.

Bill passed.

INDIAN COUNCILS ACT (1861) AMENDMENT (No. 2) BILL.—(No. 171.)

MR. CONYBEARE (Cornwall, Camborne): I should like to ask if the Government intend to proceed with this Bill? It has been on the Paper the whole Session. It is of great importance to India, and it is very unfair that the people should be kept in a state of uncertainty as to the Government's intention.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I must ask the hon. Member to put the question when the Under Secretary for India is in his place.

Second Reading deferred till Monday.

REGISTRATION OF ASSURANCES (IRELAND) BILL.—(No. 190.)

MR. SEXTON (Belfast, W.): Seeing that there is a good deal of opposition to this Bill, and bearing in mind the period of the Session at which we have arrived, is it worth while keeping the Order on the Paper?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I know there is a good deal of opposition to a very important clause. I am to receive a deputation on Wednesday, and to discuss with them if it is possible, consistently with maintaining the efficiency of the Bill, to alter the clause, and to meet their views in any shape or form. If we do not come to an arrangement, I am afraid it will not be possible to proceed with the Bill. Of course, I cannot give an answer to the hon. Member till after Wednesday.

MR. SEXTON: I will repeat the question on Thursday.

Committee deferred till Monday next.

BILLS OF SALE ACT (1890) AMENDMENT BILL.—(No. 215.)

Considered in Committee; Committee report Progress; to sit again upon Wednesday.

INTOXICATING LIQUORS LOCAL VETO (IRELAND) BILL.—(No. 88.)

Order for Second Reading read, and discharged.

Bill withdrawn.

ARTIFICIAL MANURES, &c. ADULTERATION BILL.—(No. 101.)

Order for Second Reading read, and discharged.

Bill withdrawn.

House adjourned at five minutes after Twelve o'clock.

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c. Reported from Standing Com., and Order for Printing, &c. *June* 4, 1630

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Q. Mr. Pickersgill; A. The First Lord of Treas. *June* 8, 1827

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(Refer also to *Parliament—Business of the House*)

Purchase of Land and Congested Districts (Ireland) Bill, 1891
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l. Read 1ª * *June* 5, 1693
Read 2ª; Standing Orders dispensed with; Com. negatived; Read 3ª *; Amendts. made, and Bill passed *June* 8, 1805
c. Lords Amendts. con. and agreed to *June* 8, 1920

Seal Fishery (Behring Sea) Bill
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proceeded with" would not destroy the Bill. The Bill might be revived in given circumstances *May* 28, 1244
On the point of order, the adjournment of a Debate is never, as a matter of form, given with a motive *May* 28, 1246
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